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COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

PLANNING DEPARTMENT HEARING

"Making a Difference"

MEETING DATE January 7, 2005	CONTACT/PHONE Susan Callado 788-2714	APPLICANT Thomas Da Rosa	FILE NO. DRC2003-00063
SUBJECT Proposal by Thomas Da Rosa for a Minor Use Permit to allow for the construction of a commercial development consisting of two buildings 8,000 and 10,000 square feet in size, 62,440 square feet of uncovered inventory storage areas, 34 parking spaces, and two water tanks. The proposed buildings would house offices, retail/display shops, and a warehouse. The project site is located on the northwest portion of the intersection of Wellsona Road and Highway 101, north of the City of Paso Robles in the Salinas River (rural) planning area.			
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Minor Use Permit DRC2003-00063 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on November 25, 2004 for this project. Mitigation measures are proposed to address Air Quality, Biological Resources, Geology & Soils, Noise, Public Resources, Wastewater and Water and are included as conditions of approval.			
LAND USE CATEGORY Commercial Service	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 027-321-027	SUPERVISOR DISTRICT(S) ① ② ③ ④ ⑤ All
PLANNING AREA STANDARDS: Limitation on use - Wellsona Road area. The project is an allowed use under this planning area standard.			
EXISTING USES: Vacant			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Commercial Service/Vacant <i>East:</i> Commercial Service/Highway 101 <i>South:</i> Commercial Service/ Truck stop <i>West:</i> Residential Rural/Vacant			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Cal Trans, Environmental Health, CDF, APCD, City of Paso Robles			
TOPOGRAPHY: Level		VEGETATION: grasses	
PROPOSED SERVICES: Water supply: On site system Sewage Disposal: Individual septic system Fire Protection: CDF		ACCEPTANCE DATE: April 17, 2004	

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PROJECT ANALYSIS

The proposed project is a Minor Use Permit to allow for the construction of a commercial development consisting of two buildings 8,000 and 10,000 square feet in size, 62,440 square feet of uncovered inventory storage areas, 34 parking spaces, and two water tanks. The proposed buildings would house offices, retail/display shops, and a warehouse.

PLANNING AREA STANDARDS (PAS): There are numerous planning area standards for this area. Each planning area standard is addressed in the following table and the discussion below.

Ordinance Compliance:

<u>Standard</u>	<u>Required</u>	<u>Proposed</u>
Setbacks		
Setbacks from property line	Building Height more than 16'	Bldg A Bldg B
Front	100	100' 100'+
Side	70	70' 47'***
Rear	80	80' + 65/**
		** need to meet setbacks
Landscaping Setback	40'	40'
Front	20'	20'
Side	20'	20'
Rear		
Height	30' pitched roof lines	27' / 32' ** (ht limit 30' from average natural grade)
Parking	33 spaces	33 spaces
Signs	Maximum aggregate area of 100 square feet per site (12' height)	Free standing sign and wall signs 120 sf (must reduce to 100 sf)**
Development Intensity Site: Slope Gradient 0-15%	Floor Area Ratio (0.40) 0.098%	Site Coverage Ratio (0.65) 0.30%

Traffic

The planning area standards require a traffic study for this area. The applicant submitted a traffic analysis prepared by Higgins Associates (October 1, 2004) to determine the existing level of service on these affected roadways, and assess potential traffic circulation and safety impacts resulting from the proposed project and cumulative development of the area. The traffic analysis determined that during both a.m. and p.m. peak hours, the overall intersection operates at a Level of Service (LOS) A. The eastbound Wellsona Road approach to Highway 101 operates at LOS B during the a.m. and p.m. peak hours, and the westbound Wellsona Road approach to Highway 101 operates at LOS B during the a.m. peak hour and LOS C during the p.m. peak hour. The County of San Luis Obispo considers LOS C to be an acceptable level of service (Higgins Associates; October 1, 2004).

Based on the traffic analysis report, the proposed project would generate approximately 168 daily trips, including 23 a.m. peak hour trips and 23 p.m. peak hour trips. The addition of these trips would not affect LOS on Highway 101, Wellsona Road, or the Highway 101 and Wellsona

Road intersection (Higgins Associates; October 1, 2004).

Site Access

The planning area standard (PAS) states that; "Access to the site from any street or road shall be at a single point or driveway and shall be shared between properties if feasible."

Response: There is one access point on Wellsona Road and one access point along the frontage road to this site.

Landscaping

(PAS) "Landscaping setback (planning area standard). A landscaping buffer shall be located in the following setbacks, in which no use areas, including building, parking or outdoor use area allowed. Front 40 ft. Side 20 ft. Rear 20 ft."

Landscaping (planning area standard) Setback areas shall be fully landscaped for an attractive natural appearance. Trees shall be planted in groups at a density of two trees for every 25 feet of frontage, and in a continuous canopy at a density of one tree for every 25 feet of side or rear yards. A combination of trees and shrubs shall be used to provide at least 50% percent screening in front, and full screening in side and rear yards if visible from Highway 101. Plant material shall be a mix of evergreen and non-evergreen species. Tree species shall be selected that will achieve heights equal to or greater than the heights of project buildings.

Within setbacks that separate the roadway from parking or outdoor use areas, a berm shall be constructed to aid in screening parking or outdoor uses. The berm shall not conflict with native vegetation and have a slope no steeper than 3 to 1. Height of the berm shall be at least three feet, which may necessitate a wider setback than required (F40/S20/R20) on some topography."

Response: The project as proposed includes some landscaping, however, does not yet meet the requirements of the planning area standards in detail. The project has been conditioned to meet all the landscaping requirements and setbacks for the Wellsona Road area.

Building colors

(PAS) Building color shall be similar to the surrounding natural colors of the area. Colors shall be greater than or equal to 4 in value and no brighter than 6 in chroma on the Munsell color scale. Trim colors are to be complimentary occupying no more than 5% of any wall surface.

Response: Exterior colors would consist of darker tans, greys, and reds. Some of the colors that were submitted with the project color board do not meet the Munsell color scale and the project has been conditioned to submit new colors that meet the Munsell color scale chart.

Sign Limitation

(PAS) Free-standing signs are limited to a height of 12 feet. Freeway identification signs, as identified in Chapter 22.20, are not allowed.

Response: The sign program for the site shall be in compliance with Title 22.20.010 of the Land Use Ordinance.

Building Design

(PAS) The architecture shall minimize building massing as seen from Highway 101 and adjacent residential properties. Avoid a "boxy" appearance, orient buildings to have customer entrances face front or side avoiding bay doors fronting the road. The entry facade is to be 30% transparent but no more than 50% of any facade may be glass or reflective material. Non reflective materials shall be utilized. Materials such as unpainted metal, unfinished or painted concrete block, unfinished concrete "tilt-up" construction or box-like pre-fabricated metal structures are not appropriate.

Response: The project design incorporates architectural features to break up massing

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including pitched roofs, varied window treatments, painted metal siding along with some stucco finish with exterior colors consisting of tans, greys, and reds. Some of the colors submitted meet design requirements, however, new colors that comply with the Munsell color scale will be required to be submitted for review and approval. Planters will be used to break up the facade as well as some wood trellising and window treatments. Non-reflective materials shall be used in construction of the buildings. Staff supports the proposed project design.

AGENCY REVIEW:

Public Works- supports project needs drainage plan and road improvements.

Environmental Health - supports project may require a public water supply.

CDF Fire - Fire Safety letter dated April 14, 2004.

APCD - Standard concerns regarding fugitive dust and operation phase mitigation letter dated April 30, 2004 .

LEGAL LOT STATUS:

The existing lot was legally created by recorded map Lot 40 of Wellsona Acres at a time when that was a legal method of creating lots.

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FINDINGS - EXHIBIT A

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on November 25, 2004 for this project. Mitigation measures are proposed to address air quality, biological resources, geology & soils, noise, public services, water and wastewater and are included as conditions of approval.
- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the project is three commercial retail structures and is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the allowed uses in the proposed commercial service structures do not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the use is an allowed use and is required to be landscaped and abide by building design as set-forth in the planning area standards for this area of Wellsona Road and is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Wellsona Road, a collector road required to be widened and constructed to a level able to handle any additional traffic associated with the project.

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes:
 - a. for the construction of a commercial development consisting of two buildings 8,000 and 10,000 square feet in size, 62,440 square feet of uncovered inventory storage areas, 34 parking spaces, and two water tanks. The proposed buildings would house offices, retail/display shops, and a warehouse.
 - b. Height shall be limited to 30 feet in accordance with the planing area standard using pitched roofs.
2. All development shall be consistent with the approved site plan, floor plan, architectural elevations.

Limit on Uses

3. The site may have all the uses allowed in the Commercial Service land use category as stated by the Land Use Ordinance Section 22.104.040 G.1. Limitation on use Wellsona Road area.

Landscaping

4. Landscaping setback (planning area standard). A landscaping buffer shall be located in the following setbacks, in which no use areas, including building, parking or outdoor use area allowed. Front 40 ft. Side 20 ft. Rear 20 ft.
5. Landscaping (planning area standard) Setback areas shall be fully landscaped for an attractive natural appearance. Trees shall be planted in groups at a density of two trees fro every 25 feet of frontage, and in a continuous canopy at a density of one tree for every 25 feet of side or rear yards. A combinations of trees and shrubs shall be used to provide at least 350 percent screening in front, and full screening in side and rear yards if visible from Highway 101. Plant material shall be a mix of evergreen and non-evergreen species. Tree species shall be selected that will achieve heights equal to or greater than the heights of project buildings.
6. Within setbacks that separate the roadway from parking or outdoor use areas, a berm shall be constructed to aid in screening parking or outdoor uses. The berm shall not conflict with native vegetation and have a slope no steeper than 3 to 1. Height of the berm shall be at least three feet, which may necessitate a wider setback than required by the planning area standard (F40'/S20'/R20')
7. Setbacks shall be in accordance with the planing area standards as associated with the height of the building. For structures 16 feet and under in height, setbacks are as follows: Front 70' Side 40' Rear 60'. For structures over 16' setbacks are as follows: Front 100' Side 70' Rear 80'.

Design

8. Building color shall be similar to the surrounding natural colors of the area. Colors shall be greater than or equal to 4 in value and no brighter than 6 in chroma on the Munsell color scale. Trim colors are to be complimentary occupying no more than 5% of any wall surface. Colors submitted with application shall indicate that they meet the Munsell color scale. (Brownstone, Tundra, Brick Red are approved submitted colors as shown (the color board in the file))

9. The architecture shall minimize building massing as seen from Highway 101 and adjacent residential properties. Avoid a "boxy" appearance, orient buildings to have customer entrances face front or side avoiding bay doors fronting the road. The entry facade is to be 30% transparent but no more than 50% of any facade may be glass or reflective material. Non reflective materials shall be utilized. Materials such as unpainted metal, unfinished or painted concrete block, unfinished concrete "tilt-up" construction or box-like pre-fabricated metal structures are not appropriate. (The design submitted with the application meet the architecture requirements.)

Lighting

10. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored. All yard lighting shall be on maximum 12 foot high poles with shielded down-lights.

Signage

11. Free-standing signs are limited to a height of 12 feet. Freeway identifications signs, as identified in Chapter 22.20, are not allowed. The sign program for the site shall be in compliance with Title 22.20.010 of the Land Use Ordinance allowing a maximum aggregate area of 100 square feet per site. A sign plan shall be submitted showing exact dimension of each sign proposed.

Fencing

12. Fencing material shall include wood, wood-appearing concremented, finished (stuccoed) or split-face masonry block. Solid fencing locations on sides and rear of a site shall be within the landscaped setback required by Subsection G.10.a as illustrated in Figure 104-47, or open fencing may be located on side and rear property lines outside of the required landscaping.

Outdoor Storage

13. Equipment and materials stored out-of-doors shall be screened by landscaping and solid fencing unless the storage area is not visible from Wellsona Road or Highway 101. The yard shall not be used to store scrap material, debris, junk or inoperative vehicles. All stockpiles of materials shall not exceed 6 feet in height

Road Improvements

14. Prior to issuance of construction permits, the applicant shall submit plans showing required road improvements to Frontage Road and Wellsona Road and copies of encroachment permits from the County and Caltrans. Wellsona Road and the frontage road shall be widened to complete an A-1 section fronting the property (Wellsona Road improvements may require re-building half of the street).

Noise

15. Prior to issuance of construction permits, building plans shall show the following measures (or similar measures) to reduce the level of interior noise to 45 Ldn or lower:
 1. Air conditioning or a mechanical ventilation system.
 2. Windows and glass doors mounted in low air infiltration rate frames (0.5 cfm or less. per ANSI specifications).

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3. Solid core exterior doors with perimeter weather stripping and threshold seals.
4. Wood siding with a 0.5-inch minimum thickness fiberboard (soundboard) underlayer.
5. Glass in both windows and doors shall not exceed 20 percent of the floor area in a room.
6. Baffled vents.

Fire Safety

16. The applicant shall comply with the fire safety plan approved by the Templeton Fire Department as specified in the letter from Templeton Fire Department dated April 14, 2004.
17. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.

Air Quality

At the time of application for construction permits, the applicant shall show, on the construction plans the requirements outlined in the Air Pollution Control District's letter dated April 30, 2004 regarding construction phase emission recommendations for construction and grading activities as follows.

18. During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
 - a. Reduce the amount of disturbed area where possible.
 - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
 - c. All dirt stock-pile areas shall be sprayed daily as needed.
 - d. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible.
 - e. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - f. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities.
 - g. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
 - h. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
19. During initial grading/scraping, burning shall not be allowed, or if no alternative is available, the applicant shall obtain a burn permit from the APCD and County Fire/California Department of Forestry, and comply with all conditions required by these agencies.

At the time of application for a grading permit, the applicant shall prepare and submit a

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geologic investigation to determine if naturally occurring asbestos is present on the project site. If naturally occurring asbestos is found at the site, the applicant shall comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to:

- a. An Asbestos Dust Mitigation Plan, which must be approved by the APCD prior to site disturbance, and
- b. An Asbestos Health and Safety Program.

Biological Resources

The Kit Fox Evaluation, which was completed for the Viborg-Davis Minor Use Permit (DRC2003-00063) on April 8, 2004 by Daniel E. Meade, and revised by Mr. Bob Stafford of the California Department of Fish and Game on April 29, 2004, indicates the project will impact 1.7 acres of San Joaquin kit fox habitat. The project earned a score of 61 on the evaluation, which requires that all impacts be mitigated at a ratio of two acres conserved for each acre impacted (2:1). Total compensatory mitigation required for the project is 3.4 acres, based on 2 times 1.7 acres impacted. The mitigation options identified in BR-1 through BR-11 apply to the proposed project only; should the project change, the mitigation obligation may also change, and a reevaluation of the mitigation measures would be required.

21. **Prior to issuance of grading and/or construction permits**, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) (see contact information below) that states that one or a combination of the following four San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 3.4 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

This mitigation alternative (a.), requires that all aspects of this program must be in place before County permit issuance or initiation of any ground disturbing activities.

- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy," would total \$8,500 (based on \$2,500 per acre). This fee must be paid after the Department provides written notification identifying your mitigation options but prior to County permit issuance.

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- c. Purchase 3.4 credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

At this time, there is no approved conservation bank that is operational in San Luis Obispo County. A conservation bank is expected to be operational in the near future. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

- d. If none of the above measures (a, b, or c) are available, the applicant may enter into a Mitigation Agreement with the Department, including depositing of funds into an escrow account (or other means of securing funds acceptable to the Department) which would ensure the protection in perpetuity of 3.4 acres of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring in perpetuity. The Department can provide a draft agreement to review; a signed Mitigation Agreement shall be submitted to the County prior to County permit issuance and initiation of any ground disturbing activities.

22. Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Division of Environmental and Resource Management. The retained biologist shall perform the following monitoring activities:

- a. Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.

- b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, diking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site-disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.

- c. Prior to or during project activities, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determine it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, before project

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activities commence, the applicant must consult with the U.S. Fish and Wildlife Service and the Department (see contact information below). The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

In addition, the qualified biologist shall implement the following measures:

1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
 - a) Potential kit fox den: 50 feet
 - b. Known or active kit fox den: 100 feet
 - c. Kit fox pupping den: 150 feet
 2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
 3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.
23. Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate as a note on the project plans, that: "Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox". Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction,
- In addition, prior to permit issuance and initiation of any ground disturbing activities, conditions BR-3 through BR-11 of the Developer's Statement/Conditions of Approval shall be clearly delineated on project plans.
24. During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.
25. Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the county, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

26. During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.
27. During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.
28. During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.
29. Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, state and federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
30. During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and the Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the Department for care, analysis, or disposition.
31. Prior to final inspection, or occupancy, whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:
 - a. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12".
 - b. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards.

Upon fence installation, the applicant shall notify the County to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above

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Tree Removal

32. **Prior to occupancy**, the applicant shall replace, in-kind at a two-to-one ratio, the one (1) oak tree to be impacted as a result of improvements for a total of two (2) oak trees. Trees to remain shall be shown on plans and shall be protected and marked prior to any improvements. Replacement oak trees shall be from one-gallon container sizes. All newly planted oak trees shall be maintained until successfully established. This shall include caging from animals (e.g., deer and rodents), periodic weeding and adequate watering (e.g., drip-irrigation system). If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used. All trees shall be tagged and numbered for future monitoring.

Once trees have been planted and prior to occupancy, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nursery person, botanist) to prepare a letter stating the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building and can be a part of the landscaping plan.

Geology and Soils

33. **Prior to issuance of a grading permit**, the applicant shall submit an erosion and sedimentation control plan and drainage plan pursuant to Sections 22.52.080 and 22.52.090 of the Land Use Ordinance.

Wastewater

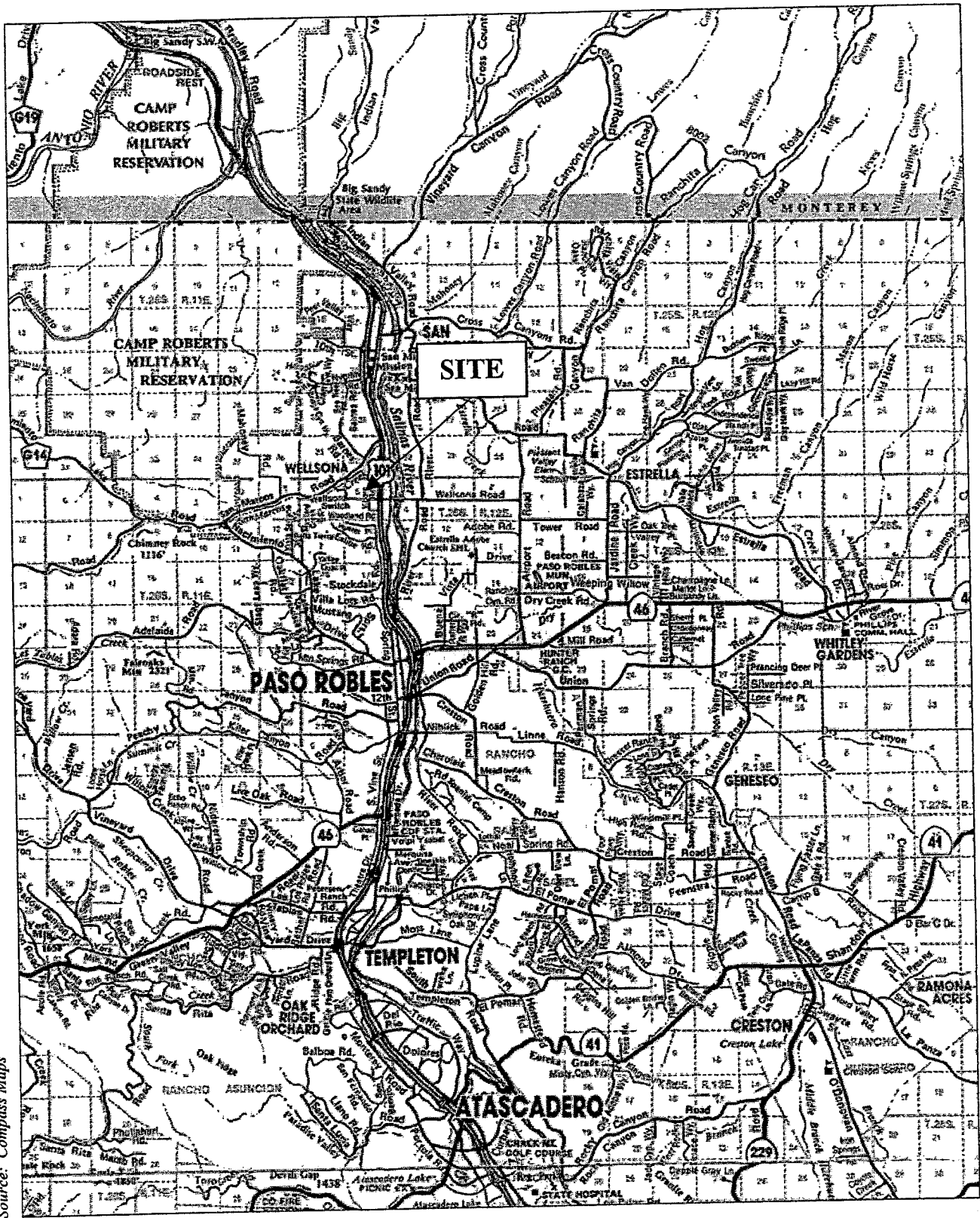
34. **Prior to issuance of building permit**, it must be shown to the satisfaction of the county that future leach lines of a new septic system show that at least a 5' separation will exist between the bottom of the trench and the top of the high groundwater area. An engineered system may be required to achieve Basin Plan requirements.

Water

35. **Prior to issuance of a grading permit**, the applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) that has been approved by the State Water Resources Control Board (SWRCB).

Miscellaneous

36. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.
37. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
38. This permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070.

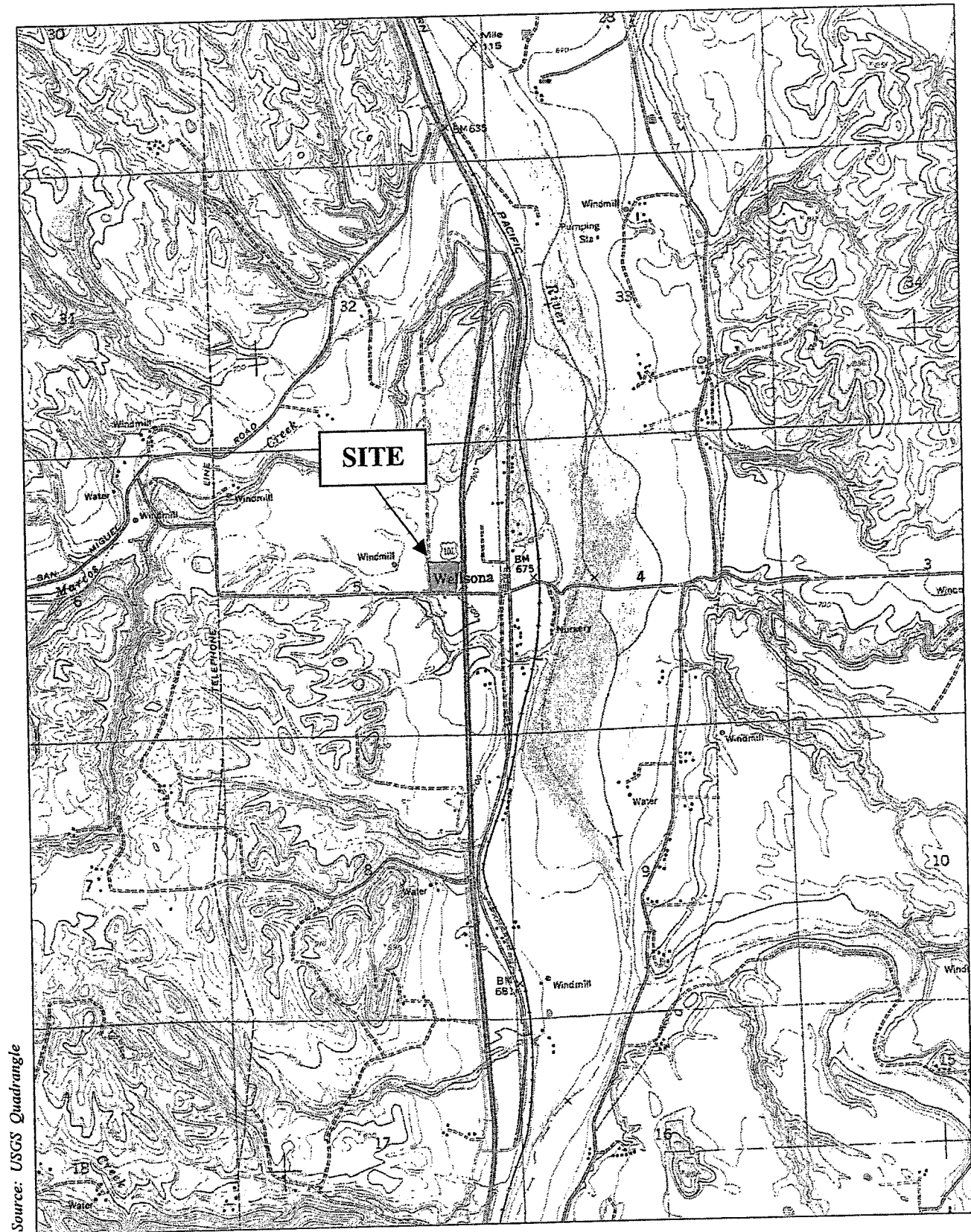


Source: Compass Maps



NORTH
Not to Scale

VICINITY MAP
FIGURE 1

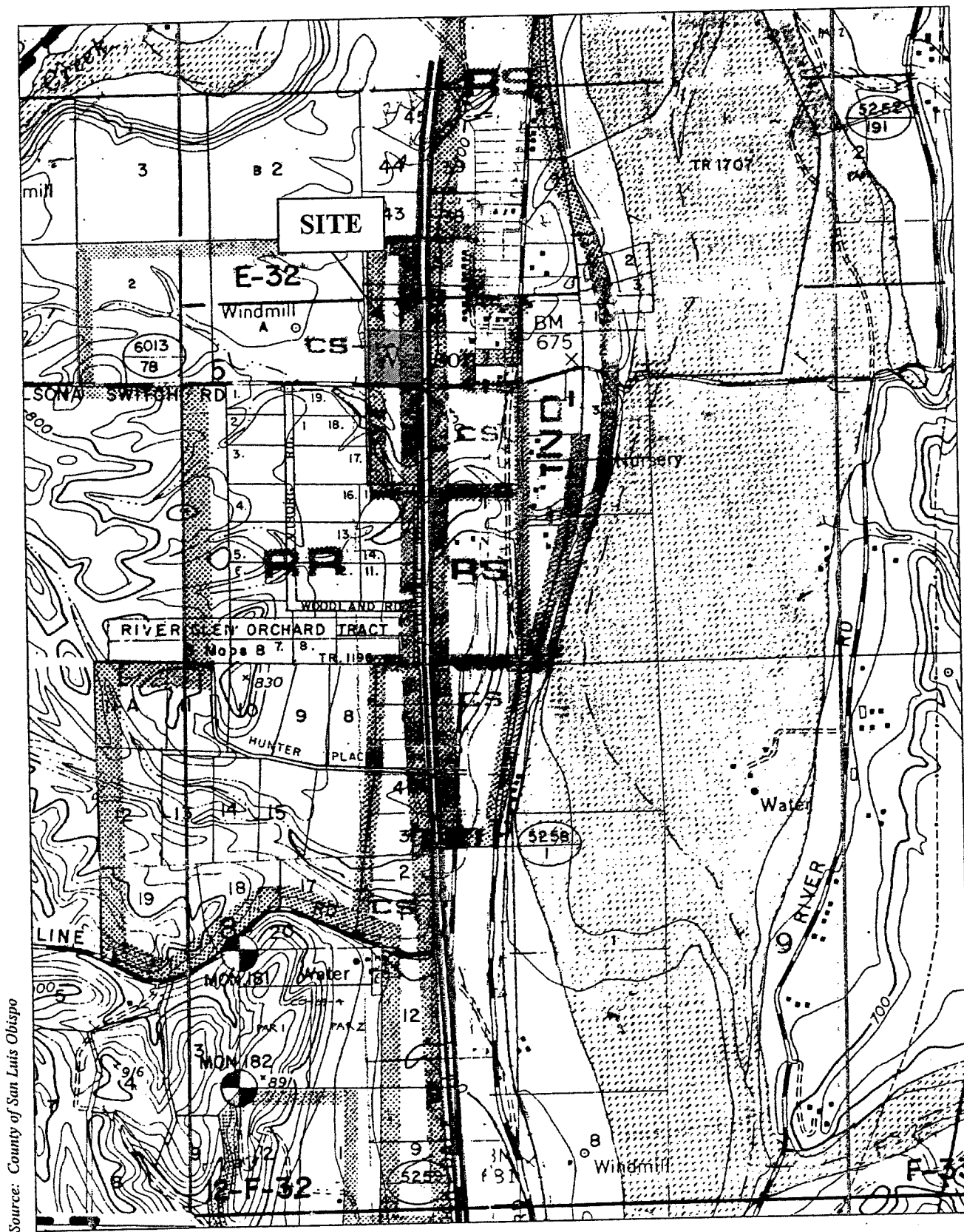


Source: USGS Quadrangle



NORTH
Not to Scale

LOCATION MAP
FIGURE 2



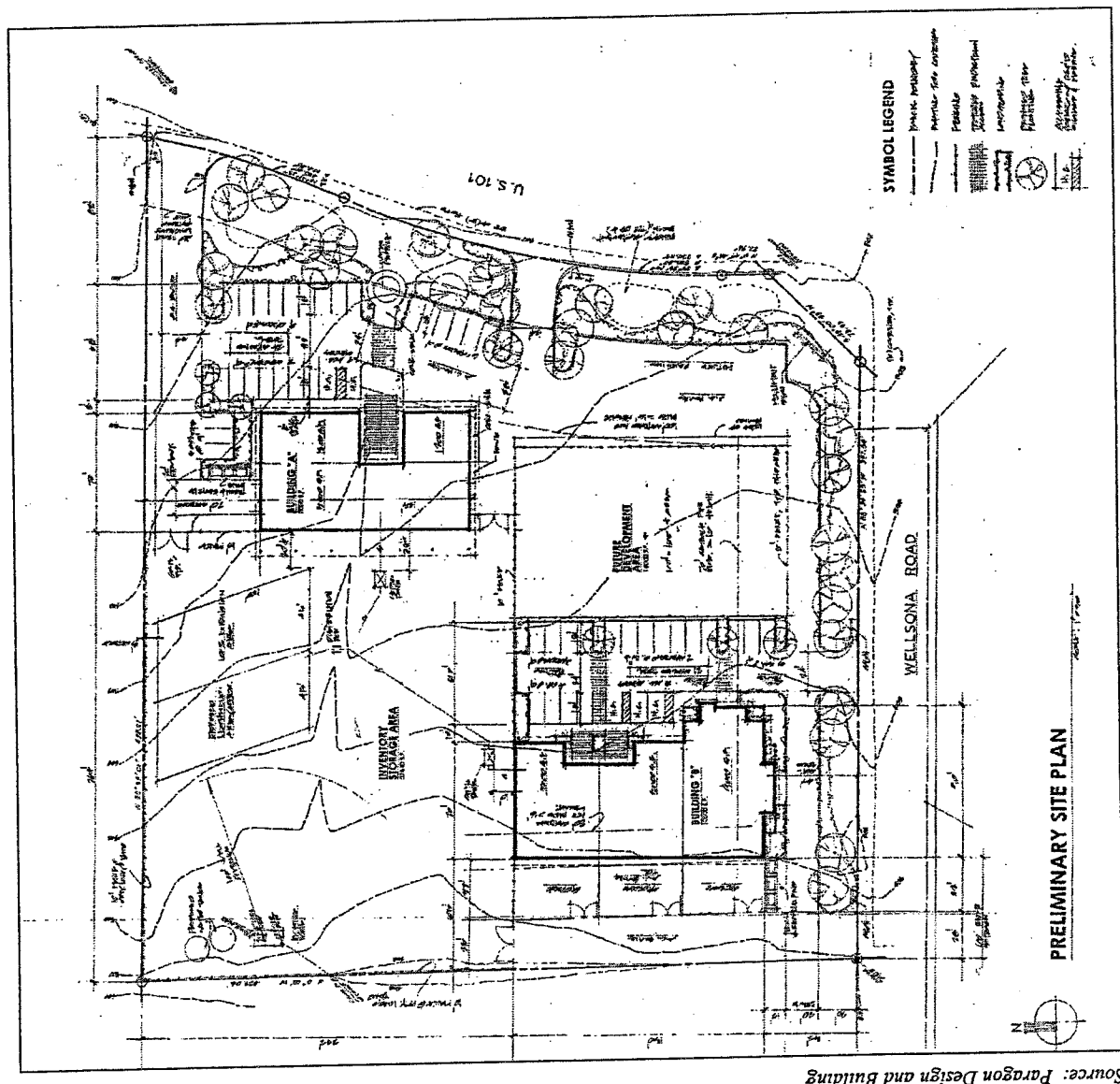
Source: County of San Luis Obispo



NORTH
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LAND USE CATEGORY
FIGURE 3

4-17

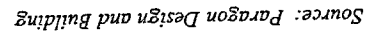


Source: Paragon Design and Building



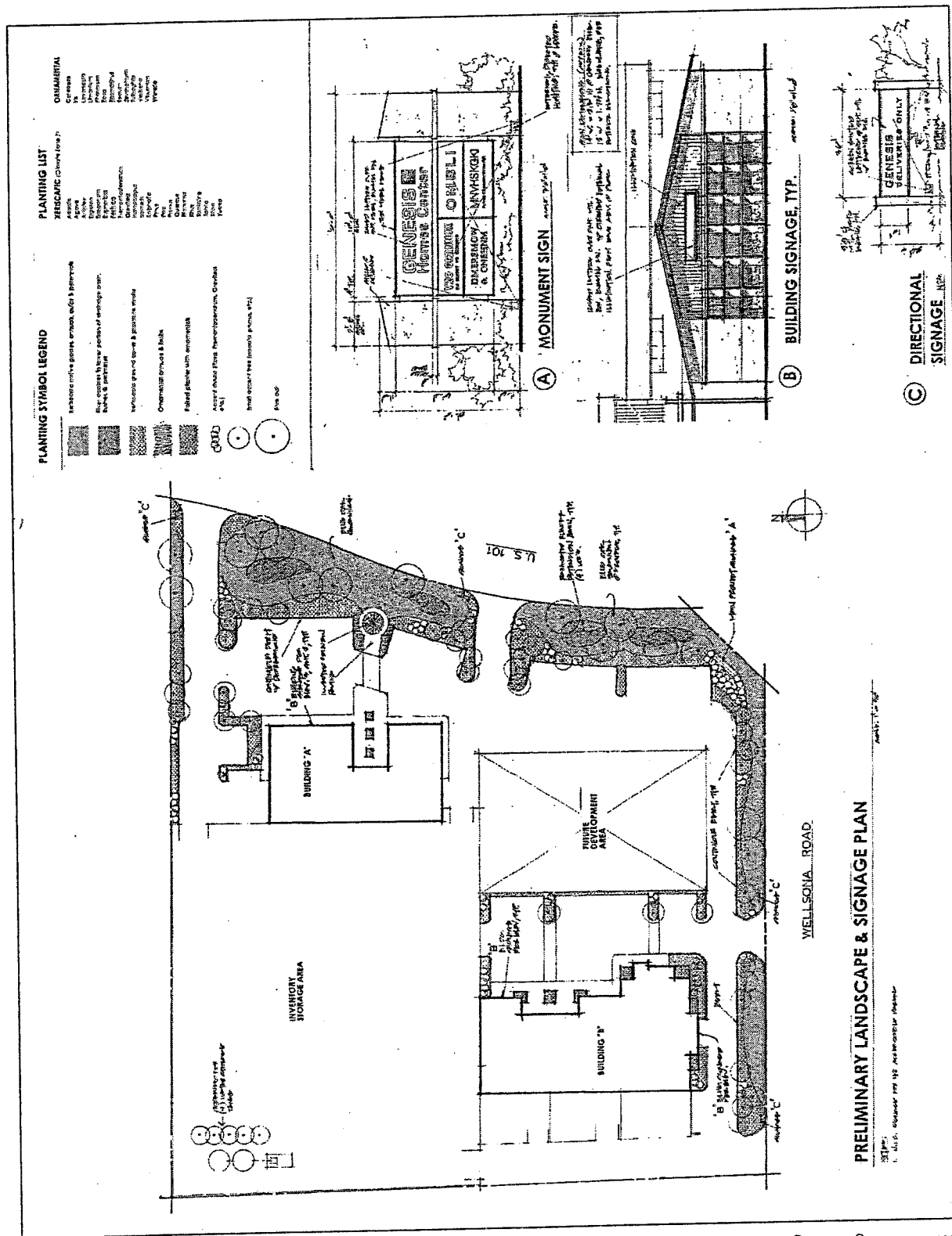
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PRELIMINARY SITE PLAN
FIGURE 4



Morro Group, Inc.

4-18



PRELIMINARY LANDSCAPE AND SIGNAGE PLAN

FIGURE 6



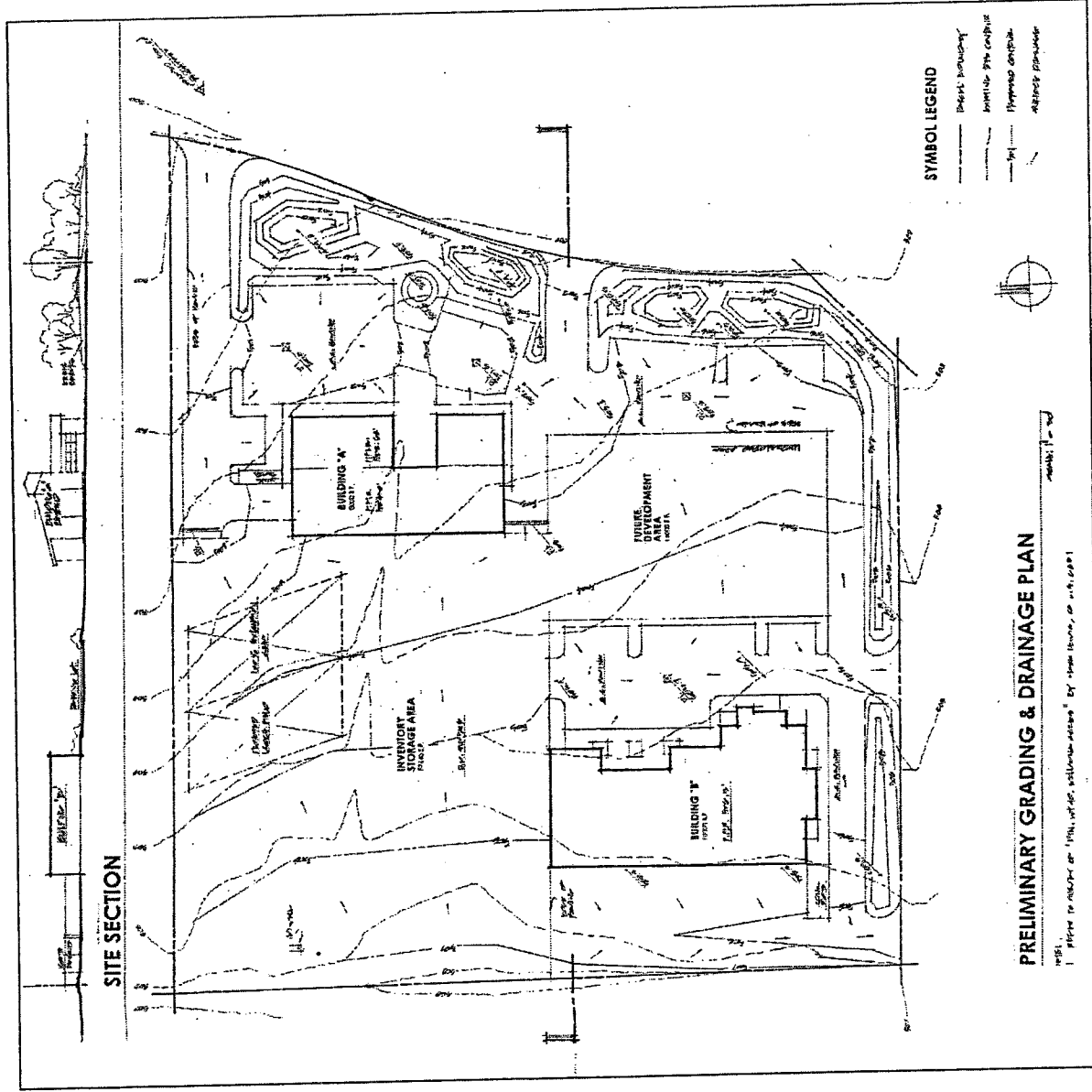
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Morro Group, Inc.

PRELIMINARY UTILITIES AND IRRIGATION PLAN

FIGURE 7

4-21



NORTH

Not to Scale

Morro Group, Inc.

PRELIMINARY GRADING AND DRAINAGE PLAN
FIGURE 8



PARAGON
DESIGN AND BUILDING
1009 MORRO STREET SUITE 202 SAN LUIS OBISPO CA 93401

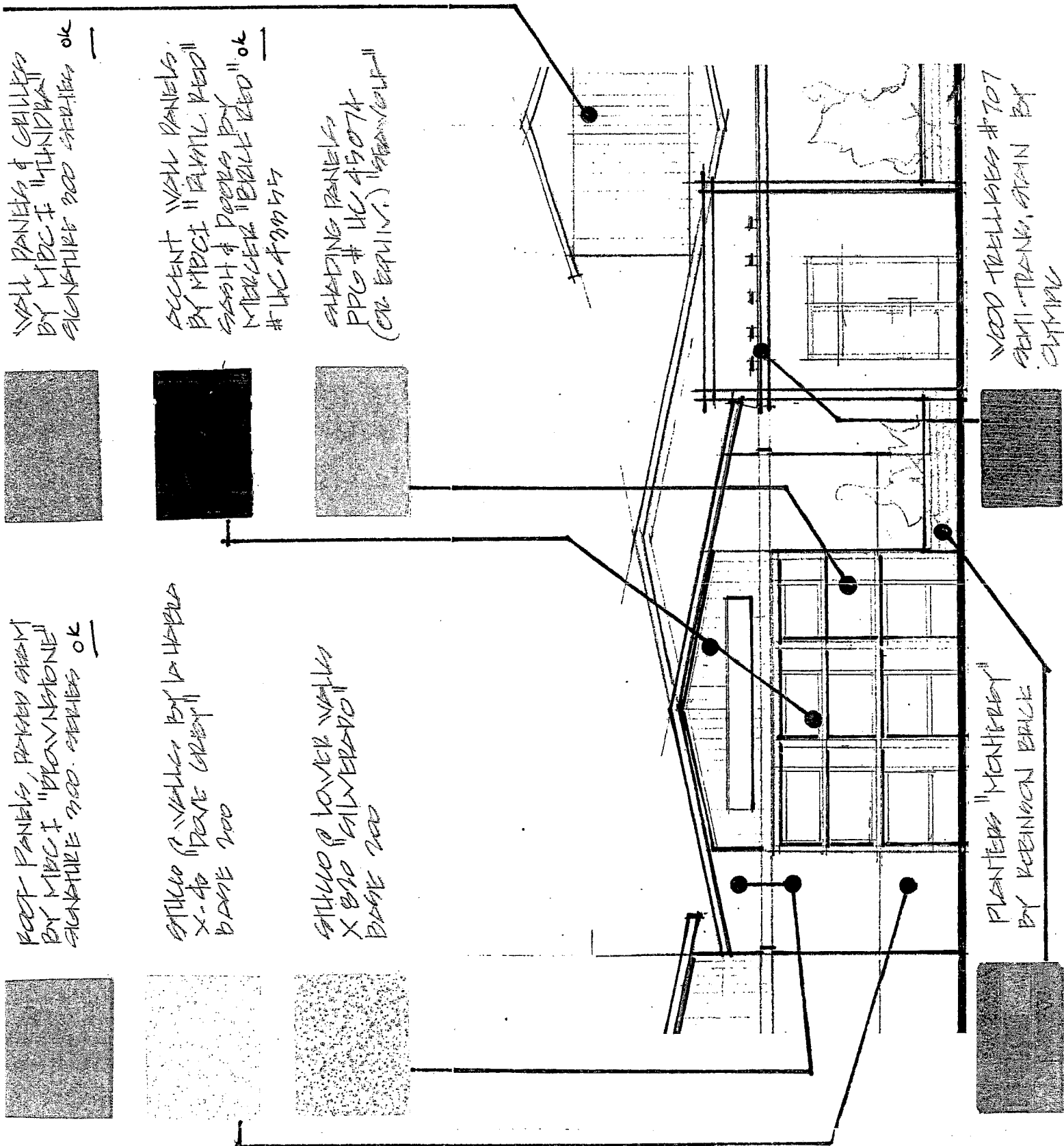
THOMAS G. BRAJKOVICH
ARCHITECT

UC-C-015612 PH: (805) 541 9488 / FAX: 541 5705

GENESIS
Homes Center
a division of Advantage Homes, Inc

Wellsona Acres Paso Robles CA

Color Board
3 colors Approved
22-4





DATE: April 30, 2004

TO: North County Team
San Luis Obispo County Department of Planning and Building

FROM: Andy Mutizger *AJM*
San Luis Obispo County Air Pollution Control District

SUBJECT: Genesis Prefabricated Homes: Commercial office buildings, warehouse, inventory storage yard, and building. (DRC/MUP 2003-00063/Viborg-Davis)

GENERAL COMMENTS:

Thank you for including the APCD in the environmental review process. We have completed our review of the proposed Genesis Pre-fabricated Homes development that will include construction and sales offices and a storage yard located near the Highway 101 and Wellsona Road interchange in Paso Robles. We have the following comments on the proposal.

SPECIFIC PROJECT COMMENTS

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the District assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. The following are District comments that are pertinent to this project.

CONSTRUCTION EMISSIONS

Fugitive Dust

The project as described in the referral will not likely exceed the District's CEQA significance threshold for construction phase emissions. However, construction activities can generate fugitive dust, which could be a nuisance to local residences and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the District's 402 "Nuisance" Rule. District staff recommends the following measures.

- Reduce the amount of the disturbed area where possible.
- Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.
- All dirt stock-pile areas should be sprayed daily as needed.
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible.
- Building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities.

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Genesis Prefabricated Homes
April 30, 2004
Page 2 of 2

Naturally Occurring Asbestos

Naturally Occurring Asbestos (NOA) has been identified by the state Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common in the state and may contain naturally occurring asbestos. Under the State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if naturally occurring asbestos is present within the area that will be disturbed. If naturally occurring asbestos is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include but are not limited to 1) an Asbestos Dust Mitigation Plan which must be approved by the District before construction begins, and 2) an Asbestos Health and Safety Program will also be required for some projects. Please refer to the District web page at <http://www.slocleanair.org/business/asbestos.asp> for more information regarding these requirements. If you have any questions regarding these requirements, please contact Karen Brooks of our Enforcement Division at 781-5912.

Developmental Burning

Effective February 25, 2000, the District prohibited developmental burning of vegetative material within San Luis Obispo County. Under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, District approval, and issuance of a burn permit by the District and the local fire department authority. The applicant is required to furnish the District with the study of technical feasibility (which includes costs and other constraints) at the time of application. If you have any questions regarding these requirements, contact Karen Brooks of our Enforcement Division at (805) 781-5912.

OPERATIONAL PHASE MITIGATION

District staff considered the project impact by comparing it against screening models within the District's Air Quality Handbook. This indicated that operational phase impacts will likely be less than the District's CEQA mitigation threshold value of 10 lbs of emissions per day.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, or if you would like to receive an electronic version of this letter, feel free to contact me at 781-5912.

AJM/sll

cc: Karen Brooks, SLOAPCD Enforcement Division

4-25



CDF/San Luis Obispo County
Fire Department

635 N. Santa Rosa • San Luis Obispo • California, 93405

April 14, 2004

County of San Luis Obispo
Department of Planning/Building
County Government Center
San Luis Obispo, CA 93408

SC

Dear North County Team,

COMMERCIAL MINOR USE PLAN

Name: Viborg/Davis

Project Number: DRC 2003-00063

The Department has reviewed the minor use plans submitted for the proposed office space, warehouse and storage yard project located at Hwy 101 & Wellsona Rd., Paso Robles. The property is located within the moderate fire hazard severity area, and will require a minimum 8-10 minute response time from the nearest County Fire Station.

The owner of the project shall meet the minimum fire and life safety requirements of the California Fire Code (1998 edition) with amendments. This fire safety plan shall remain on the project site until final inspection. The following standards are required:

FIRE SAFETY DURING CONSTRUCTION

- Commercial and industrial type projects shall have installed, prior to the start of construction, commercial water system and fire lanes.

FIRE EXTINGUISHING SYSTEM

- The proposed project is required to install a commercial fire/life safety sprinkler system.
- The automatic fire extinguishing system shall comply with National Fire Protection Association Pamphlet 13, 231, 20, and 22.
- Plans shall be submitted for review and approval to the County Building Departments.
- The Contractor shall be licensed by the State of California [CFC 1003.1.1 amended/Title 19, Section 19.20.029 (a)].
- The fire sprinkler system shall be monitored by a licensed alarm company.

FIRE PROTECTION ENGINEER REQUIREMENT

We require that a Fire Protection Engineer review the Fire Protection Systems for this project (UFC 103.1.1). If you would like a list of Fire Protection Engineers, it is available on our website at www.cdfslo.org. The Fire Protection Engineer will require that you provide working plans as outlined in NFPA 13, 6-1 (1996). The Fire Protection Engineer will be required to send the County Fire Department an original letter of the project review they conducted complete with the changes needed.

PORTABLE FIRE EXTINGUISHER(S)

- Portable fire extinguishers shall be installed and comply with the Uniform Fire Code (2000) Section 1002.1, Standard 10-1.
- The contractor shall be licensed by the State Fire Marshal.
- The minimum requirements will be determined during the building permit/fire safety plan process.

ROOF ACCESS

- The project shall provide vertical access to the roof from two points.
- Access can be provided by the use of landscaping or a fixed laddering system.
- Plans shall be submitted for approval to the County Fire Department.
- Presently the County Fire Department can provide a maximum 16-feet of vertical reach.

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COMMERCIAL WATER SYSTEM

- Emergency water supplies shall meet the minimum fire flow requirements as identified in the Uniform Fire Code, Section 903.1, 903.2, 903.3 and 903.4 as amended and Appendix III-A.
- The proposed project shall provide a minimum 1,500 gallons of water per minute for 120 minutes.
- The minimum water main size shall not be less than six (6) inches.
- Pressures may not be less than 20 psi, nor more than 150 psi (Appendix IIIA).

WATER STORAGE TANK

- A minimum of 180,000 gallons of water in storage shall be required.
- Emergency water tanks shall have a(n):
 1. automatic fill,
 2. sight gage,
 3. venting system,
 4. The minimum water main size shall not be less than six (6) inches.
 5. Pressures may not be less than 20 psi, nor more than 150 psi (Appendix IIIA).

WATER SUPPLY CONNECTION

- Several fire hydrants shall be required.
- Fire hydrants are to be located with a maximum normal spacing of 300 feet as measured along vehicular travel ways.
- The County Fire Department will assist in hydrant placement and approve distribution system when plans are submitted.
- Fire hydrants shall have two, 2½-inch outlets with National Standard Fire thread, and one 4 inch suction outlet with National Standard Fire thread.
- The Chief shall approve other uses not identified.
- Signing: Each hydrant shall be identified by blue reflective dot.
 - (a) On a non-skid surface, center of roadway, to the fire hydrant side.

ACCESS

- Access road width shall be 18 feet.
- The project shall provide a minimum 20-foot fire lanes for emergency vehicle access.
- All road and driveway surfaces shall be all weather.
- All surfaces shall be constructed to meet a load capacity of 20 tons.

ADDRESSING

- Legible address numbers shall be placed on all structures.
- Legible address numbers shall be located at the driveway entrance.

FINAL INSPECTION

The project will require final inspection. **Please allow five (5) working days for final inspection.** When the safety requirements have been completed, **call Fire Prevention at (805) 543-4244, extension 2220**, to arrange for a final inspection. Currently South San Luis Obispo County inspections occur on Tuesdays and North County inspections occur on Thursdays.

Further information may be obtained from our website located at www.cdfslo.org ~ Planning and Engineering section. If we can provide additional information or assistance, please call (805) 543-4244.

Sincerely,

Gilbert R. Portillo
Fire Inspector

C: Mr. Thomas DaRosa, owner



4-27
COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (SC)

MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED04-006

DATE: November 25, 2004

PROJECT/ENTITLEMENT: Viborg-Davis Minor Use Permit; DRC2003-00063

APPLICANT NAME: Thomas DaRosa
ADDRESS: 1544 West Branch Street Arroyo Grande, CA 93420
CONTACT PERSON: Same as applicant **Telephone: (805) 710-0417**

PROPOSED USES/INTENT: A request to allow for the establishment of two commercial buildings (totaling 18,000 square feet) for retail, office space and warehouse use, 62,440 square feet of uncovered inventory storage areas, 34 parking spaces, and two water tanks, which will result in the disturbance of the entire 4.2 acre parcel..

LOCATION: On the northwest portion of the intersection of Wellsona Road and Highway 101, approximately 3 miles north of the City of Paso Robles

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: California Department of Fish and Game, State Water Resources Control Board

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT 5 p.m. on December 9, 2004
(Circle one) 20-DAY 30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☐ Lead Agency
☐ Responsible Agency approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature

Title

Date

Public Agency

4-28

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
ENVIRONMENTAL DIVISION

ENVIRONMENTAL DOCUMENT FILING FEE FORM

NOTICE: During environmental review, this project required consultation, review or development of mitigation measures by the California Department of Fish and Game. Therefore, the applicants will be assessed user fees pursuant to section 711.4 of the California Fish and Game Code.. The California Environmental Quality Act (Section 21089) provides that this project is not operative, vested or final until the filing fees are paid.

Lead Agency: County of San Luis Obispo Date: _____
County: San Luis Obispo Project No. ED04-006
Project Title: Viborg-Davis Minor Use Permit; DRC2003-00063
Project Applicant: Name: Thomas DaRosa
Address: 1544 West Branch Street
City: Arroyo Grande, CA 93420
Phone #: (805) 710-0417

Please remit the following amount to the County Clerk-Recorder:

() Environmental Impact Report	\$ 850.00
(X) Negative Declaration	\$ 1250.00
() County Clerk's Fee	\$ 25.00
Total amount due:	\$ 1250.00

AMOUNT ENCLOSED: _____

Checks should be made out to the County of San Luis Obispo. Payment must be received by the County Clerk, 1144 Monterey Street, Suite A, San Luis Obispo, CA 93408-2040, within two days of project approval.

NOTE: Filing of the Notice of Determination for the attached environmental document requires a filing fee in the amount specified above. If the fee is not paid, the Notice of Determination cannot be filed.

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**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No: Viborg-Davis Minor Use Permit, DRC2003-00063; ED04-006

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Geology and Soils | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Transportation/Circulation |
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Wastewater |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Population/Housing | <input checked="" type="checkbox"/> Water |
| <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Public Services/Utilities | <input type="checkbox"/> Land Use |
- ☐ Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Susan Calado
Prepared by(Print)

Signature

Date

Steven McMaskers
Reviewed by(Print)

Signature

Ellen Carroll,
Environmental Coordinator
(for)

Date

4-30

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: - Proposal by Thomas DaRosa for a Minor Use Permit to allow for the construction of a commercial development consisting of two buildings 8,000 and 10,000 square feet in size, 62,440 square feet of uncovered inventory storage areas, 34 parking spaces, and two water tanks. The proposed buildings would house offices, retail/display shops, and a warehouse. The project site is located on the northwest portion of the intersection of Wellsona Road and Highway 101, north of the City of Paso Robles in the Salinas River (rural) planning area.

ASSESSOR PARCEL NUMBER: 027-321-027

SUPERVISORIAL DISTRICT #: 1

B. EXISTING SETTING

PLANNING AREA: Salinas River, Paso Robles

LAND USE CATEGORY: Commercial Service

COMBINING DESIGNATION(S) None applicable

EXISTING USES: Gravel and asphalt paving

TOPOGRAPHY: Nearly level

VEGETATION: Blue oak trees

PARCEL SIZE: 4.2 acres

SURROUNDING LAND USE CATEGORIES AND USES:

North: Commercial Service/ undeveloped

East: Commercial Service/ Highway 101; commercial development

South: Commercial Service/ truck stop

West: Residential Rural/ undeveloped; scattered single-family residences

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

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COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1.	AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Change the visual character of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create glare or night lighting which may affect surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is a 4.2-acre parcel located on the northern side of Wellsona Road, immediately west of Highway 101 (refer to Figures 1 through 3). The general area is characterized by gently rolling hillsides supporting grasses, forbs, and scattered oak woodland. Surrounding development in the Wellsona area consists of a variety of commercial development including a restaurant, truck stop, offices, warehouses, auto repair and recycling, and scattered residences. Areas immediately adjacent to the project site to the north and west and currently undeveloped. A majority of the project site is currently surfaced with asphalt and gravel, and a modular structure surrounded by low (approximately four-foot tall) green fencing. A wood post and barbed wire fence surrounds the perimeter of the project site.

Impact. The proposed project site is currently visible from both Highway 101 and Wellsona Road. Future development would likely be visible for approximately one mile from both the southbound and northbound travel lanes of Highway 101. The project site is visible for approximately 500 feet as seen from Wellsona Road.

The applicant is proposing a commercial development consisting of two buildings 8,000 and 10,000 square feet in size, 62,440 square feet of uncovered storage areas, 34 parking spaces, and two water tanks (refer to Figure 4). The proposed buildings would be 32 and 27 feet tall in height, and exterior colors would consist of tans, greys, and reds (refer to Figure 5). The applicant's proposed landscape and fencing plan includes grasses, flowers, shrubs, and oak trees, and would not require the removal of the existing blue oak trees adjacent to Wellsona Road (refer to Figures 6 and 7).

The proposed project is consistent with the existing visual character of the area, which consists of a truck stop and scattered residences on the west side of Highway 101, and a row of commercial/industrial uses on the east side of Highway 101. The applicant proposes to locate outdoor storage areas on the west side of the proposed buildings to shield storage materials from views along Highway 101. Planning area standards listed in Section 22.104.040 of the County Land Use Ordinance require a continuous canopy of trees, at least 50 percent screening in front, and full screening in side and rear areas visible to Highway 101. Additional aesthetic requirements listed in the County Land Use Ordinance include the use of dark muted exterior colors, the use of non-reflective materials, and installation of solid fencing.

4-32

Mitigation/Conclusion. Based on the location of the proposed project, proposed use of tan and grey exterior colors and materials, implementation of the proposed landscaping plan, and achievement of full screening from Highway 101 as required by the County Land Use Ordinance, no significant visual impacts would occur as a result of the proposed project and no additional mitigation is necessary.

2. AGRICULTURAL RESOURCES - Will the project:		Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Convert prime agricultural land to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Conflict with existing zoning or Williamson Act program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is located within the Commercial Service land use category. Surrounding land use categories include Commercial Service to the north, south, and east, and Rural Residential to the west. The soil types mapped for the project site are Arbuckle fine sandy loam (0-2%), San Ysidro loam (0-2%), and Hanford and Greenfield gravelly sandy loam (0-2%). As described in the NRCS Soil Survey, these soils are considered Class IV for "non-irrigated" soil, and Class I to IV for "irrigated" soil. The project site is currently surfaced with asphalt and gravel.

Impact. Based on the project site's land use category, location within a commercially-developed area, and lack of agricultural uses on or in the immediate vicinity, no significant impacts to agricultural resources would occur as a result of the proposed project.

Mitigation/Conclusion. No significant impacts to agricultural resources were identified, and no mitigation is necessary.

3. AIR QUALITY - Will the project:		Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Expose any sensitive receptor to substantial air pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Create or subject individuals to objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Be inconsistent with the District's Clean Air Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. In 1989, the State Air Resources Board (ARB) designated San Luis Obispo County a non-attainment area for exceeding the State's air quality standards set for ozone and dust (small particulate matter or PM10). In 2003, the State ARB determined that the county was in attainment for

ozone. Based on the latest air monitoring station information (per the County's RMS annual report, 2003), the trend in air quality in the general area is improving. The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation. Nitrous oxides (NOx) and reactive organic gasses (ROG) pollutants (vehicle emission components) are common contributors towards this chemical transformation into ozone. Dust, or particulate matter less than ten microns (PM10) that become airborne and which find their way into the lower atmosphere, can act as the catalyst in this chemical transformation to harmful ozone.

Impact. The proposed project was referred to the APCD for review. The APCD identified several potentially significant air quality impacts resulting from construction emissions, including the generation of fugitive dust, the release of naturally-occurring asbestos, and developmental burning of vegetative material. Operation of the proposed project would not result in over 10 lbs of emissions per day, and would not exceed the APCD's threshold for operational emissions.

Fugitive Dust. Construction of the proposed project would result in the disturbance of approximately 4.2 acres. During grading and construction activities, fugitive dust would be generated by the disturbance of soil, and may result in a nuisance to adjacent properties and land uses.

Naturally-Occurring Asbestos. Asbestos is considered a toxic air contaminant by the State Air Resources Board. If naturally occurring asbestos is present within the soil underlying the project site, future grading and site disturbance activities would release the asbestos into the air, resulting in a potentially significant air quality impact. Although the area has not been mapped for serpentine or ultramafic rock or soils, the County geologist has indicated that the property is unlikely to contain these soils and therefore is unlikely to contain naturally occurring asbestos. No impacts as a result of asbestos emissions are anticipated.

Developmental Burning. On February 5, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County; however, in certain situations where no technically feasible alternative is available, limited burning may be allowed. Unregulated burning would result in a potentially significant air quality impact.

Mitigation/Conclusion.

Fugitive Dust. To minimize nuisance dust impacts, the applicant is required to implement APCD fugitive dust mitigation measures including the use of water trucks or sprinkler systems to water down airborne dust, revegetation of disturbed areas, limited vehicle speeds (15 miles/hour), sweep streets at the end of each day, and the use of covers or sufficient freeboard on all trucks transporting soil and material (refer to Exhibit B for a full list of mitigation measures).

Developmental Burning. To minimize the effects of vegetative burning on regional air quality, the applicant has agreed to avoid burning, or if no alternative is available, the applicant shall obtain a burn permit from the APCD and County Fire/California Department of Forestry, and comply with all conditions required by these agencies.

Implementation of the measures above and listed in Exhibit B would mitigate potential air quality impacts to a level of insignificance.

4. BIOLOGICAL RESOURCES - Will the project:

- a) **Result in a loss of unique or special status species or their habitats?**
- b) **Reduce the extent, diversity or quality of native or other important vegetation?**

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
----------------------------	--------------------------------------	-------------------------	-------------------

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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4. BIOLOGICAL RESOURCES -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Approximately 2.48 acres of the proposed project site are currently surfaced with asphalt and gravel, and the remainder supports annual grassland. One blue oak tree is located adjacent to Wellsona Road. No creek, drainage, or wetland areas are present onsite. The project site is located within the Carrizo vernal pool region. A vernal pool habitat survey conducted by Mr. Daniel E. Meade did not result in the identification of suitable vernal pool habitat (Althouse and Meade; April 20, 2004).

The California Natural Diversity Database (2004) identified the following sensitive species or habitats within close proximity of the proposed project: San Joaquin Kit Fox (*Vulpes macrotis mutica*) and San Joaquin Pocket Mouse (*Perognathus inornatus inornatus*). San Joaquin kit fox is a Federally Endangered and State Threatened species. The grassland portion of the project site may provide habitat for San Joaquin kit fox. San Joaquin pocket mouse prefers shrubby ridge tops and hillsides and open, sandy areas with grasses and forbs. The habitat on the project site is not favorable for San Joaquin pocket mouse habitat, and this species is unlikely to be affected by future development of the project site.

Impact.

Special-Status Species. A *Kit Fox Habitat Evaluation Form* completed by Daniel E. Meade determined that 4.2 acres of potential San Joaquin kit fox habitat would be affected by development of the proposed project (Althouse and Meade; April 8, 2004). The evaluation form was reviewed by Mr. Bob Stafford, California Department of Fish and Game (CDFG), and Mr. Stafford determined that 1.7 acres of the project site currently supporting annual grassland would be impacted by the proposed development. The remainder of the project site, currently surfaced with asphalt and gravel, does not currently support San Joaquin kit fox habitat (Stafford; April 29, 2004).

Native and Important Vegetation. Implementation of the proposed project including grading activities would impact the root zone of one blue oak tree. The applicant is not proposing the removal of any trees.

Mitigation/Conclusion.

Special-Status Species. Based on the result of the evaluation form and review by CDFG, the mitigation ratio is 2:1. This means that for every acre of new disturbance resulting from project activities (e.g. buildings, paving, storage areas), the applicant is required to mitigate a total of two acres of habitat. The applicant has agreed to mitigate the loss of kit fox habitat by one of the following ways: Deposit of funds to an approved in-lieu fee program; provide for the protection of kit foxes in perpetuity through acquisition of fee or conservation easement of suitable habitat in the kit fox corridor area; or purchase credits in an approved conservation bank. At this time, there is no approved Conservation Bank which is operational in San Luis Obispo County. If none of the other three alternatives are available, the applicant may enter into a Mitigation Agreement with the Department of Fish and Game, including depositing funds into an escrow account (or other means of securing funds acceptable to the Department), which would assure the protection in perpetuity of suitable habitat in the kit fox corridor area and provide for a non-wasting endowment for management. To prevent inadvertent harm to kit fox, the applicant has agreed to retain a biologist for a pre-construction survey and monitoring activities and implement cautionary construction measures. Implementation of these measures and the measures listed in Exhibit B would mitigate potential impacts to a level of insignificance.

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Native and Important Vegetation. To mitigate for the impacts to one blue oak tree, the applicant has agreed to a 2:1 replacement ratio for all impacted trees, for a total replacement count of two. Planting of the new blue oak trees has been incorporated into the proposed landscaping plan, and no additional measures are required.

Implementation of the measures described above and listed in Exhibit B would mitigate potential impacts to a level of insignificance.

5. CULTURAL RESOURCES -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is located within an area historically occupied by the Obispeño Chumash and Southern Salinian Native Americans. The project site is located in the vicinity of the Salinas River. The proposed project site is currently disturbed and surfaced with asphalt and gravel. No historical structures are present on the proposed project site. Paleontological resources are not anticipated to be present.

The County archaeological maps were consulted to determine if significant archaeological resources are documented in the immediate vicinity of the project site. Significant cultural sites are documented adjacent to the Salinas River, on the east side of Highway 101. No known sites are present in the immediate vicinity of the project site.

Impact. Based on the disturbed nature of the project site, and lack of cultural resources in the immediate vicinity of the proposed project site, significant cultural resources would not likely be encountered during future development of the project site.

Mitigation/Conclusion. No significant cultural resources impacts were identified; therefore no planning area standards or mitigation measures are necessary.

6. GEOLOGY AND SOILS -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

6. GEOLOGY AND SOILS -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

Geology. The topography of the project site is nearly level. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered moderate. No active faulting is known to exist on or near the project site. The project is not within a known area containing serpentine rock. There is no evidence that measures above what will already be required by ordinance or code are needed.

Drainage. The area proposed for development is outside the 100-year Flood Hazard designation. As described in the NRCS Soil Survey, the soils mapped for the site are Arbuckle fine sandy loam, San Ysidro loam, and Hanford and Greenfield gravelly sandy loams, all moderately drained soils. No specific measures above what will already be required by ordinance or code are considered necessary.

Sedimentation and Erosion. The applicant proposes to disturb approximately 4.2 acres (refer to Figure 8). As described in the NRCS Soil Survey, the soil surface is considered to have low to high erodibility and has a low shrink-swell characteristic. During a rain event, disturbed soils may erode and result in down-gradient sedimentation.

Mitigation/Conclusion. Pursuant to Section 22.52.080 of the County Land Use Ordinance, the applicant is required to prepare and submit an erosion and sedimentation control plan including both temporary and permanent measures to stabilize disturbed soils and prevent sedimentation. Implementation of this required standard would mitigate potential erosion and sedimentation impacts, and no additional measures are necessary.

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7. **HAZARDS & HAZARDOUS MATERIALS - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Interfere with an emergency response or evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to safety risk associated with airport flight pattern?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create any other health hazard or potential hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site was historically utilized as a storage area for fill, gravel, and construction materials. The proposed project site is located within a moderate fire hazard area. The applicant is not proposing the use, transport, or storage of hazardous materials. The location of the proposed project would not interfere with any emergency response or evacuation plans, and is not located in the immediate vicinity of an airport.

Impact. The proposed project was referred to the California Department of Forestry/County Fire for review. CDF did not respond with any concerns; however a Commercial Minor Use Fire Safety Plan would be required prior to issuance of construction permits and operation of the facility. The Fire Safety Plan would consist of conditions including, but not limited to, a commercial water system, through access for fire trucks, a fire extinguishing system/sprinklers, the installation of portable fire extinguishers, construction of vertical access to the roofs of all structures, and an accessible water storage tank (Portillo; April 14, 2004). CDF would conduct an inspection of the facility prior to operation.

Mitigation/Conclusion. Implementation of the required Commercial Minor Use Plan Fire Safety Plan would mitigate potential fire hazards to a level of insignificance, and no additional mitigation measures are necessary.

8. **NOISE - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels which exceed the County Noise Element thresholds?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generate increases in the ambient noise levels for adjoining areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to severe noise or vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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8. **NOISE - Will the project:**

Potentially Significant Impact can & will be mitigated Insignificant Impact Not Applicable

d) Other _____

☐ ☐ ☐ ☐

Setting.

Noise Exposure. The proposed project site is located adjacent to Highway 101, which is the primary source of noise in the area. The topography between the road and the project site is gently sloping. According to the *County Noise Element*, the entire project site is located within the 65 Ldn noise contour (County of San Luis Obispo; May 1992). The applicant is proposing to construct two buildings for construction contractor offices, retail and display of construction materials, and warehousing for the indoor and outdoor storage of construction materials. According to the *Noise Element*, offices are considered a noise sensitive land use, and noise exposure between 60 and 75 Ldn is considered "conditionally acceptable". Retail, warehousing, and storage of construction materials are not considered "noise sensitive" land uses.

Noise Generation. Implementation of the proposed project would result in the generation of up to 168 daily trips. Generation of these trips would contribute to the cumulative generation of transportation-related noise. Generation of these additional trips would not result in a significant level of transportation-related noise.

Impact. Construction of offices within the 65 Ldn noise contour line would result in interior noise exposure levels exceeding acceptable levels.

Mitigation/Conclusion. To mitigate for noise exposure impacts resulting from interior noise levels within proposed offices exceeding 45 Ldn, the applicant has agreed to implement several noise reduction measures including installation of air conditioning, solid core exterior doors, fiberboard under-layer installed in walls for soundproofing, and baffled vents (refer to Exhibit B). Implementation of these measures would reduce potential noise impacts to less than significant.

9. **POPULATION/HOUSING - Will the project:**

Potentially Significant Impact can & will be mitigated Insignificant Impact Not Applicable

a) **Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?**

☐ ☐ ☒ ☐

b) **Displace existing housing or people, requiring construction of replacement housing elsewhere?**

☐ ☐ ☒ ☐

c) **Create the need for substantial new housing in the area?**

☐ ☐ ☒ ☐

d) **Use substantial amount of fuel or energy?**

☐ ☐ ☒ ☐

e) Other _____

☐ ☐ ☐ ☐

Setting/Impact. The proposed project site is located on a parcel currently within the Commercial Services land use category. No housing is present on or in the immediate vicinity of the project site. Implementation of the proposed project would not induce growth, displace existing housing or people, create the need for new housing in the area, or use a substantial amount of fuel or energy to construct and operate.

Mitigation/Conclusion. Based on the above discussion, no significant population and housing impacts are expected to occur as a result of the proposed project, and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES -
Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection (e.g., Sheriff, CHP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The closest CDF/County fire station is Paso Robles Station, located approximately five miles from the proposed project site. The closest Sheriff substation is in Templeton, located approximately seven miles from the proposed project site. Highway 101 is also patrolled by the California Highway Patrol. The project site is located within the Paso Robles Joint Unified School District. This proposed project, along with numerous others in the area would have a cumulative effect on police/sheriff and fire protection.

Mitigation/Conclusion. Public facility programs have been adopted to address this impact and would reduce the cumulative impact to a level of insignificance. No significant project-specific impacts to utilities or public services were identified.

11. RECREATION - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase the use or demand for parks or other recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Affect the access to trails, parks or other recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The County Trails Plan shows a future trail corridor being considered on the subject property (Salinas River trail plan). Implementation of the proposed project would not preclude the establishment of this trail along the river, which is located on the opposite (east) side of the highway. Implementation of the proposed project would not increase the use or demand for parks or other recreation opportunities or affect access to recreational resources.

Mitigation/Conclusion. No significant impacts to recreational resources was identified and no mitigation measures are necessary.

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**12. TRANSPORTATION/
CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is accessed from Wellsona Road, which intersects Highway 101 immediately east of the project site. The proposed access driveway is approximately 210 feet west of Highway 101. Highway 101 is a four-lane principal arterial, and Wellsona Road is a two-lane collector. The Highway 101 and Wellsona Road intersection currently includes left turn deceleration/storage lanes on the northbound and southbound highway approaches and left turn acceleration lanes in the median of Highway 101. A right-turn deceleration lane is currently provided on the southbound Highway 101 approach to Wellsona Road and an acceleration lane for right turn movements from eastbound Wellsona Road to southbound Highway 101.

The applicant submitted a traffic analysis prepared by Higgins Associates (October 1, 2004) to determine the existing level of service on these affected roadways, and assess potential traffic circulation and safety impacts resulting from the proposed project and cumulative development of the area. The traffic analysis determined that during both a.m. and p.m. peak hours, the overall intersection operates at a Level of Service (LOS) A. The eastbound Wellsona Road approach to Highway 101 operates at LOS B during the a.m. and p.m. peak hours, and the westbound Wellsona Road approach to Highway 101 operates at LOS B during the a.m. peak hour and LOS C during the p.m. peak hour. The County of San Luis Obispo considers LOS C to be an acceptable level of service (Higgins Associates; October 1, 2004).

Impact. Based on the traffic analysis report, the proposed project would generate approximately 168 daily trips, including 23 a.m. peak hour trips and 23 p.m. peak hour trips. The addition of these trips would not affect LOS on Highway 101, Wellsona Road, or the Highway 101 and Wellsona Road intersection (Higgins Associates; October 1, 2004).

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The County of San Luis Obispo has adopted a standard stating that no more than 2,300 daily trips are allowed on any individual (or 8,000 total daily trips) at-grade intersection in the Wellsona area, which includes Wellsona Road, Exline Road, Monterey Road, and Stockdale Road (Salinas River Area Plan). Exceedance of this threshold would require the construction of an interchange. The existing highest daily traffic volume at the Highway 101 and Wellsona Road intersection is 1,497. Implementation of the proposed project would increase this number by 168 daily trips, for total trip generation of 1,665 at this intersection. The total daily traffic on the approaches to Highway 101 in the Wellsona area is 3,845, and implementation of the proposed project would increase this number to 4,013, below the threshold requiring a new interchange (Higgins Associates; January 29, 2004).

Under cumulative conditions, which include future projects and build-out in the Wellsona area (excluding the proposed project), the daily volume on all approaches would be 5,483, and under cumulative conditions including the proposed project, the daily volume would be 5,651, which is below the threshold of 8,000 daily trips requiring a new interchange in the Wellsona area. In addition, under cumulative conditions including the proposed project, the daily volume on each individual roadway would be less than 2,300, which is also below the threshold requiring a new interchange (Higgins Associates; October 1, 2004). Based on the results of the traffic analysis report, implementation of the proposed project would not result in any significant project-specific or cumulative impacts.

The proposed project was referred to the County Public Works Department and California Department of Transportation (Caltrans). Caltrans did not respond to the project referral. The County Public Works Department did not identify any significant impacts, however the applicant would be required to construct A-1 Section improvements to Wellsona Road and the Frontage Road fronting the property (Mike Goodwin; May 5, 2004). These improvements would include width and drainage improvements, and would not result in any secondary impacts. Encroachment permits from the County and Caltrans would be required prior to initiation of improvements.

Mitigation/Conclusion. Prior to issuance of construction permits, the applicant has agreed to submit plans showing required road improvements to Frontage Road and Wellsona Road and copies of encroachment permits from the County and Caltrans.

13. WASTEWATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The applicant is proposing a standard septic system and leachfield to handle wastewater effluent. Based on Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type where the on-site wastewater system will be placed is Arbuckle fine sandy loam (0-2%). For on-site septic systems, there are several key factors to consider for a system to operate successfully, including the soil's ability to percolate or "filter" effluent, the soil's depth and the slope on which the system is placed. To assure a successful system that meets the Central Coast Basin Plan, additional analysis or engineering is needed when one or more factors exist: the ability of the soil to "filter" effluent is either too fast (percolation rate is faster or less than 30 minutes per inch and has "poor filtering" characteristics) or is too

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slow (slower or more than 120 minutes per inch); the topography on which a system is placed is steep enough to potentially allow "daylighting" of effluent downslope; or the separation between the bottom of the leach line to bedrock or high groundwater is less than five feet. Based on the NRCS Soil Survey, the main limitation(s) of this soil for wastewater effluent is slow percolation.

Slow Percolation. This characteristic indicates that fluids may percolate too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be less than 120 minutes per inch. To achieve compliance with the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit, that shows the leach area can adequately percolate to achieve this threshold.

Mitigation/Conclusion. The on-site system needs at least five feet between the bottom of the leach line to the saturated soil (e.g. high groundwater) that contains soil that does not remain in a saturated condition for any length of time. Otherwise, special engineering will be required to provide this separation. Prior to building permit approval, it must be shown to the satisfaction of the county that future leach lines of a new septic system show that at least a five-foot separation will exist between the bottom of the trench and the top of the high groundwater area. An engineered system may be required to achieve Basin Plan requirements.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any water quality standards?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change the quantity or movement of available surface or ground water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Adversely affect community water service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

Water Quality. The nearest source of surface water is an intermittent tributary to the Salinas River located approximately 500 feet south of the project site. The tributary flows under the highway and into the river approximately 2,300 feet east of the project site, on the east side of Highway 101. Based on the *Annual Resource Summary Report* (2003), an increase in sediment was observed in the Salinas River near San Miguel, which is north of the project site. The Salinas River flows northwest, and drains into the Pacific Ocean near Monterey. Implementation of the proposed project has the potential to cause erosion and down-gradient sedimentation, potentially affecting the Salinas River. The applicant is proposing to disturb over one acre of area, therefore a Storm Water Pollution Prevention Plan (SWPPP) is required by the State Water Resources Control Board (SWRCB). The SWPPP must include measures to retain soil onsite, and avoid offsite sedimentation, in addition to the erosion and sedimentation control plan required by the County Land Use Ordinance.

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Water Supply. The applicant proposes to utilize an existing onsite well for water supply. The well is located within the Paso Robles Groundwater Basin. Based on the *Annual Resource Summary Report* (2003), this basin is not in a state of overdraft.

Mitigation/Conclusion. Implementation of an erosion and sedimentation control plan, as discussed in section 6 of this document, and implementation of a SWPPP would mitigate potential water quality impacts to a level of insignificance, and no additional mitigation measures are necessary.

15. LAND USE -	Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a)	Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Be potentially inconsistent with any habitat or community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Be potentially incompatible with surrounding land uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project was reviewed for consistency with policy and regulatory documents relating to the environment and appropriate land use (e.g. County Land Use Ordinance, and the Salinas River Land Use Element). The project was found to be consistent with these documents. The proposed project is not within or adjacent to a Habitat Conservation Plan area.

The surrounding land uses consist of undeveloped land, a truck stop, and scattered single-family residences. The proposed project site is within the Commercial Service land use category. The proposed project is consistent with the land use category and surrounding uses.

Mitigation/Conclusion. No significant land use impacts would occur as a result of the proposed project, and no mitigation measures are required.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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- b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project's, and the effects of probable future projects)*
- ☐ ☐ ☒ ☐
- c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*
- ☐ ☐ ☒ ☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ceqa/guidelines/" for information about the California Environmental Quality Act.

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Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an "X") and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<u>X</u>	County Public Works Department	Attached
<u>X</u>	County Environmental Health Division	Attached
<u> </u>	County Agricultural Commissioner's Office	Not Applicable
<u> </u>	County Airport Manager	Not Applicable
<u> </u>	Airport Land Use Commission	Not Applicable
<u>X</u>	Air Pollution Control District	Attached
<u> </u>	County Sheriff's Department	Not Applicable
<u> </u>	Regional Water Quality Control Board	Not Applicable
<u> </u>	CA Coastal Commission	Not Applicable
<u>X</u>	CA Department of Fish and Game	Attached
<u>X</u>	CA Department of Forestry	Attached
<u>X</u>	CA Department of Transportation	None
<u> </u>	_____ Community Service District	Not Applicable
<u>X</u>	City of Paso Robles	None

* "No comment" or "No concerns"-type responses are usually not attached

The following checked ("✓") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<u>✓</u>	Project File for the Subject Application	<u>✓</u>	Salinas River Area Plan and Update EIR
<u> </u>	<u>County documents</u>	<u> </u>	<u> </u> Circulation Study
<u> </u>	Airport Land Use Plans	<u> </u>	<u>Other documents</u>
<u>✓</u>	Annual Resource Summary Report	<u>✓</u>	Archaeological Resources Map
<u> </u>	Building and Construction Ordinance	<u>✓</u>	Area of Critical Concerns Map
<u> </u>	Coastal Policies	<u>✓</u>	Areas of Special Biological Importance Map
<u>✓</u>	Framework for Planning (Coastal & Inland)	<u>✓</u>	California Natural Species Diversity Database
<u>✓</u>	General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<u>✓</u>	Clean Air Plan
<u> </u>	<u> </u> Agriculture & Open Space Element	<u>✓</u>	Fire Hazard Severity Map
<u> </u>	<u> </u> Energy Element	<u>✓</u>	Flood Hazard Maps
<u> </u>	<u> </u> Environment Plan (Conservation, Historic and Esthetic Elements)	<u>✓</u>	Natural Resources Conservation Service Soil Survey for San Luis Obispo County
<u> </u>	<u> </u> Housing Element	<u> </u>	Regional Transportation Plan
<u> </u>	<u> </u> Noise Element	<u>✓</u>	Uniform Fire Code
<u> </u>	<u> </u> Parks & Recreation Element	<u>✓</u>	Water Quality Control Plan (Central Coast Basin - Region 3)
<u> </u>	<u> </u> Safety Element	<u> </u>	Other _____
<u>✓</u>	Land Use Ordinance	<u> </u>	Other _____
<u> </u>	Real Property Division Ordinance		
<u>✓</u>	Trails Plan		
<u> </u>	Solid Waste Management Plan		

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In addition, the following project-specific information and/or reference materials have been considered as a part of the Initial Study:

Althouse and Meade. April 20, 2004. *Vernal Pool Survey, APN 027-321-027.*

Higgins Associates. October 1, 2004. *DaRosa Property Development, San Luis Obispo County, California.*

Meade, Daniel E. April 8, 2004. *Kit Fox Habitat Evaluation Form.*

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Exhibit B - Mitigation Summary Table

Air Quality

- AQ-1 During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
- a. Reduce the amount of disturbed area where possible.
 - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
 - c. All dirt stock-pile areas shall be sprayed daily as needed.
 - d. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible.
 - e. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - f. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities.
 - g. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
 - h. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
- AQ-2 During initial grading/scraping, burning shall not be allowed, or if no alternative is available, the applicant shall obtain a burn permit from the APCD and County Fire/California Department of Forestry, and comply with all conditions required by these agencies.
- AQ-3 Prior to issuance of a grading permit, the applicant shall prepare and submit a geologic investigation to determine if naturally occurring asbestos is present on the project site. If naturally occurring asbestos is found at the site, the applicant shall comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to:
- a. An Asbestos Dust Mitigation Plan, which must be approved by the APCD prior to site disturbance, and
 - b. An Asbestos Health and Safety Program.

Biological Resources

The Kit Fox Evaluation, which was completed for the Viborg-Davis Minor Use Permit (DRC2003-00063) on April 8, 2004 by Daniel E. Meade, and revised by Mr. Bob Stafford of the California Department of Fish and Game on April 29, 2004, indicates the project will impact 1.7 acres of San Joaquin kit fox habitat. The project earned a score of 61 on the evaluation, which requires that all impacts be mitigated at a ratio of two acres conserved for each acre impacted (2:1). Total compensatory mitigation required for the project is 3.4 acres, based on 2 times 1.7 acres impacted. The mitigation options identified in BR-1 through BR-11 apply to the proposed project only; should the project change, the mitigation obligation may also change, and a reevaluation of the mitigation measures would be required.

- BR-1 Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and

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Resource Management Division (County) (see contact information below) that states that one or a combination of the following four San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 3.4 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

This mitigation alternative (a.), requires that all aspects of this program must be in place before County permit issuance or initiation of any ground disturbing activities.

- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy," would total \$8,500 (based on \$2,500 per acre). This fee must be paid after the Department provides written notification identifying your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase 3.4 credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

At this time, there is no approved conservation bank that is operational in San Luis Obispo County. A conservation bank is expected to be operational in the near future. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

- d. If none of the above measures (a, b, or c) are available, the applicant may enter into a Mitigation Agreement with the Department, including depositing of funds into an escrow account (or other means of securing funds acceptable to the Department) which would ensure the protection in perpetuity of 3.4 acres of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring in perpetuity. The Department can provide a draft agreement to review; a signed Mitigation Agreement shall be submitted to the County prior to County permit issuance and initiation of any ground disturbing activities.

BR-2 Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Division of Environmental and Resource Management. The retained biologist shall perform the following monitoring activities:

- a. Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted, the survey protocol, survey results, and what

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measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.

- b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site-disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.
- c. Prior to or during project activities, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determine it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, before project activities commence, the applicant must consult with the U.S. Fish and Wildlife Service and the Department (see contact information below). The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

In addition, the qualified biologist shall implement the following measures:

1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
 - a) Potential kit fox den: 50 feet
 - b) Known or active kit fox den: 100 feet
 - c) Kit fox pupping den: 150 feet
2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.

BR-3 Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate as a note on the project plans, that: "Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox". Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction,

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In addition, prior to permit issuance and initiation of any ground disturbing activities, conditions BR-3 through BR-11 of the Developer's Statement/Conditions of Approval shall be clearly delineated on project plans.

- BR-4 During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.
- BR-5 Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the county, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.
- BR-6 During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.
- BR-7 During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.
- BR-8 During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.
- BR-9 Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, state and federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
- BR-10 During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and the Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the Department for care, analysis, or disposition.
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BR-11 Prior to final inspection, or occupancy, whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

- a. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12".
- b. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards.

Upon fence installation, the applicant shall notify the County to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

Contact Information

California Department of Fish and Game
Central Coast Region
P.O. Box 47
Yountville, CA 94559
(805) 528-8670
(805) 772-4318

U.S. Fish and Wildlife Service
Ventura Field Office
2493 Portola Road, Suite B
Ventura, CA 93003
(805) 644-1766

County of San Luis Obispo
Department of Planning and Building
Division of Environmental and Resource Management
County Government Center, Room 310
San Luis Obispo, CA 93408
ATTN: Ms. Julie Eliason
(805) 781-5029

Tree Removal

BR-12 Prior to occupancy, the applicant shall replace, in-kind at a two-to-one ratio, the one (1) oak tree to be impacted as a result of improvements for a total of two (2) oak trees. Trees to remain shall be shown on plans and shall be protected and marked prior to any improvements. Replacement oak trees shall be from one-gallon container sizes. All newly planted oak trees shall be maintained until successfully established. This shall include caging from animals (e.g., deer and rodents), periodic weeding and adequate watering (e.g., drip-irrigation system). If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used. All trees shall be tagged and numbered for future monitoring.

Once trees have been planted and prior to occupancy, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nursery person, botanist) to prepare a letter stating the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building and can be a part of the landscaping plan.

Geology and Soils

GS-1 Prior to issuance of a grading permit, the applicant shall submit an erosion and sedimentation control plan and drainage plan pursuant to Sections 22.52.080 and 22.52.090 of the Land Use Ordinance.

Noise

N-1 Prior to issuance of construction permits, building plans shall show the following measures (or similar measures) to reduce the level of interior noise to 45 Ldn or lower:

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- a) Air conditioning or a mechanical ventilation system.
- b) Windows and glass doors mounted in low air infiltration rate frames (0.5 cfm or less, per ANSI specifications).
- c) Solid core exterior doors with perimeter weather stripping and threshold seals.
- d) Wood siding with a 0.5-inch minimum thickness fiberboard (soundboard) underlayer.
- e) Glass in both windows and doors shall not exceed 20 percent of the floor area in a room.
- f) Baffled vents.

Transportation and Circulation

- T-1 Prior to issuance of construction permits, the applicant shall submit plans showing required road improvements to Frontage Road and Wellsona Road and copies of encroachment permits from the County and Caltrans.

Wastewater

- WW-1 Prior to issuance of building permit, it must be shown to the satisfaction of the county that future leach lines of a new septic system show that at least a 5' separation will exist between the bottom of the trench and the top of the high groundwater area. An engineered system may be required to achieve Basin Plan requirements.

Water

- W-1 Prior to issuance of a grading permit, the applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) that has been approved by the State Water Resources Control Board (SWRCB).

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DATE: November 17, 2004

**DEVELOPER'S STATEMENT FOR
DAROSA (VIBORG) MINOR USE PERMIT
DRC2003-00063; ED04-006**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

The following mitigation measures address impacts that may occur as a result of the development of the project.

Air Quality

AQ-1 During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

- a. Reduce the amount of disturbed area where possible.
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
- c. All dirt stock-pile areas shall be sprayed daily as needed.
- d. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible.
- e. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- f. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities.
- g. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
- h. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

Monitoring: The County Planning and Building Department, in consultation with the APCD shall verify compliance.

AQ-2 During initial grading/scraping, burning shall not be allowed, or if no alternative is available, the applicant shall obtain a burn permit from the APCD and County Fire/California Department of Forestry, and comply with all conditions required by these agencies.

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Monitoring: The County Planning and Building Department, in consultation with the APCD and CDF shall verify compliance.

AQ-3 Prior to issuance of a grading permit, the applicant shall prepare and submit a geologic investigation to determine if naturally occurring asbestos is present on the project site. If naturally occurring asbestos is found at the site, the applicant shall comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to:

- a. An Asbestos Dust Mitigation Plan, which must be approved by the APCD prior to site disturbance, and
- b. An Asbestos Health and Safety Program.

Monitoring: The County Planning and Building Department, in consultation with the APCD shall verify compliance.

Biological Resources

The Kit Fox Evaluation, which was completed for the Viborg-Davis Minor Use Permit (DRC2003-00063) on April 8, 2004 by Daniel E. Meade, and revised by Mr. Bob Stafford of the California Department of Fish and Game on April 29, 2004, indicates the project will impact 1.7 acres of San Joaquin kit fox habitat. The project earned a score of 61 on the evaluation, which requires that all impacts be mitigated at a ratio of two acres conserved for each acre impacted (2:1). Total compensatory mitigation required for the project is 3.4 acres, based on 2 times 1.7 acres impacted. The mitigation options identified in BR-1 through BR-11 apply to the proposed project only; should the project change, the mitigation obligation may also change, and a reevaluation of the mitigation measures would be required.

BR-1 Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) (see contact information below) that states that one or a combination of one of the following four San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 3.4 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County. This mitigation alternative (a.), requires that all aspects of this program must be in place before County permit issuance or initiation of any ground disturbing activities.
- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation

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alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy," would total \$8,500 (based on \$2,500 per acre). This fee must be paid after the Department provides written notification identifying your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase 3.4 credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

At this time, there is no approved conservation bank that is operational in San Luis Obispo County. A conservation bank is expected to be operational in the near future. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

- d. If none of the above measures (a, b, or c) are available, the applicant may enter into a Mitigation Agreement with the Department, including depositing of funds into an escrow account (or other means of securing funds acceptable to the Department) which would ensure the protection in perpetuity of 3.4 acres of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring in perpetuity. The Department can provide a draft agreement to review; a signed Mitigation Agreement shall be submitted to the County prior to County permit issuance and initiation of any ground disturbing activities.

Monitoring: Required prior to issuance of a grading and/or construction permit. The County Division of Environmental and Resource Management shall verify compliance.

BR-2 Prior to issuance of grading and/or construction permits, the applicant shall retain a qualified biologist acceptable to the County. The retained biologist shall perform the following monitoring activities:

- a. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction**, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, diking, excavation, stock piling of dirt or gravel) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site-disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.
- c. **Prior to or during project activities**, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. **Before commencing with project activities**, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department (see contact information below) for guidance on possible additional kit fox protection measures to implement and whether or not a federal and/or state incidental take permit is needed.

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If incidental take of kit fox during project activities is possible, **before project activities commence**, the applicant must consult with the U.S. Fish and Wildlife Service and the Department. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

d. In addition, the qualified biologist shall implement the following measures:

1. Fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
 - a) Potential kit fox den: 50 feet
 - b) Known or active kit fox den: 100 feet
 - c) Kit fox pupping den: 150 feet
2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.

Monitoring: Required prior to issuance of a grading and/or construction permit. The County Division of Environmental and Resource Management will verify compliance.

BR-3 Prior to issuance of grading and/or construction permit, the applicant shall clearly delineate as a note on the project plans, that: *Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox.* In addition, **prior to permit issuance and initiation of any ground disturbing activities**, conditions BR-3 through BR-11 of your Developer's Statement/Conditions of Approval shall be clearly delineated on project plans.

BR-4 During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.

BR-5 Prior to issuance of grading and/or construction permit, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (e.g. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the county, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed and distributed to all contractors, employers and other personnel involved with the construction of the project.

BR-6 During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be

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inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.

BR-7 During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.

BR-8 During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.

BR-9 Prior to, during and after the site-disturbance and/or construction phase, use of pesticides shall be in compliance with all local, state and federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.

BR-10 During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to Department for care, analysis, or disposition.

BR-11 Prior to final inspection or occupancy, whichever comes first, should any long internal or perimeter fencing be installed, the applicant shall do the following to provide for kit fox passage:

- a. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12";
- b. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards.

Any fencing constructed after issuance of a final permit shall follow the above guidelines.

Monitoring (San Joaquin Kit Fox Measures BR-3 – BR-11): Compliance will be verified by the County Division of Environmental and Resource Management in consultation with the California Department of Fish and Game. As applicable, each of these measures shall be included on construction plans.

4-58

Contact Information

California Department of Fish and Game
Central Coast Region
P.O. Box 47
Yountville, CA 94599
(805) 528-8670
(805) 772-4318

U.S. Fish and Wildlife Service
Ventura Field Office
2493 Portola Road, Suite B
Ventura, CA 93003
(805) 644-1766

County of San Luis Obispo
Department of Planning and Building
Division of Environmental and Resource Management
County Government Center, Room 310
San Luis Obispo, CA 93408
ATTN: Ms. Julie Eliason

Tree Removal

BR-12 Prior to occupancy, the applicant shall replace, in-kind at a two-to-one ratio, the one (1) oak tree to be impacted as a result of improvements for a total of two (2) oak trees. Trees to remain shall be shown on plans and shall be protected and marked prior to any improvements. Replacement oak trees shall be from one-gallon container sizes. All newly planted oak trees shall be maintained until successfully established. This shall include caging from animals (e.g., deer and rodents), periodic weeding and adequate watering (e.g., drip-irrigation system). If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used. All trees shall be tagged and numbered for future monitoring.

Once trees have been planted and prior to occupancy, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nursery person, botanist) to prepare a letter stating the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building and can be a part of the landscaping plan.

Monitoring: The County Department of Planning and Building shall verify receipt and approval of the required plan.

Geology and Soils

GS-1 Prior to issuance of a grading permit, the applicant shall submit an erosion and sedimentation control plan and drainage plan pursuant to Sections 22.52.080 and 22.52.090 of the Land Use Ordinance.

Monitoring: The County Department of Planning and Building shall verify receipt and approval of the required plan.

Noise

N-1 Prior to issuance of construction permits, building plans shall show the following measures (or similar measures) to reduce the level of interior noise to 45 Ldn or lower:

- a. Air conditioning or a mechanical ventilation system.

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- b. Windows and glass doors mounted in low air infiltration rate frames (0.5 cfm or less, per ANSI specifications).
- c. Solid core exterior doors with perimeter weather stripping and threshold seals.
- d. Wood siding with a 0.5-inch minimum thickness fiberboard (soundboard) underlayer.
- e. Glass in both windows and doors shall not exceed 20 percent of the floor area in a room.
- f. Baffled vents.

Monitoring: The County Department of Planning and Building shall verify receipt of required elements on plans.

Transportation and Circulation

- T-1** Prior to issuance of construction permits, the applicant shall submit plans showing required road improvements to Frontage Road and Wellsona Road and copies of encroachment permits from the County and Caltrans.

Monitoring: The County Department of Planning and Building shall verify receipt of required elements on plans.

Wastewater

- WW-1** Prior to issuance of building permit, it must be shown to the satisfaction of the county that future leach lines of a new septic system show that at least a 5' separation will exist between the bottom of the trench and the top of the high groundwater area. An engineered system may be required to achieve Basin Plan requirements.

Monitoring: The County Department of Planning and Building shall verify receipt of required documentation.

Water

- W-1** Prior to issuance of a grading permit, the applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) that has been approved by the State Water Resources Control Board (SWRCB).

Monitoring: The County Department of Planning and Building shall verify receipt of required documentation.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Signature of Owner(s)

Date

11-17-04

Name (Print)

THOMAS DABOSA



4-60

ms 5

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

BP

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

APR 22 2004

DATE:

April 23, 2004

FROM

Mike Goodwin

FROM
TO

No. County Team
(Please direct response to the above)

MAP
DEC 2003-00063/Viborg-Davis
Project Name and Number

Development Review Section (Phone: 781-788-2009)

PROJECT DESCRIPTION: Commercial Office, warehouse & storage yard and Bldg. Contractor's lease office spaces.

updates w/ Traffic Study

Return this letter with your comments attached no later than:

May 1, 2004

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

RECOMMEND APPROVAL - Need Drainage Plan with Calcs to size storm water basin(s). Wellsona Road at the frontage rd widened to complete an A-1 section fronting the property (Wellsona Rd improvements may require rebuilding to the street, County and State Environmental permits required)

05 May 2004
Date

Goodwin
Name

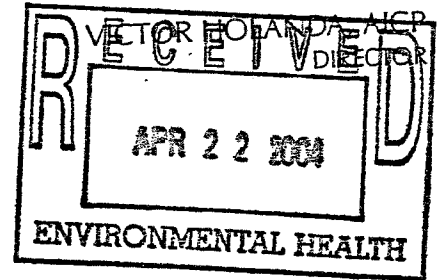
5252
Phone



4-61 SC 5
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

SR 4440
MV 31633

THIS IS A NEW PROJECT REFERRAL



DATE:

April 23, 2004

TO:

Environmental Health

FROM:

No. County Team
(Please direct response to the above)

MAP
DEC 2003-00063/Viborg-Davis
Project Name and Number

Development Review Section (Phone: 781-788-2009)

PROJECT DESCRIPTION: Commercial Office, warehouse & storage yard and Bldg. Contractors lease office spaces.

Return this letter with your comments attached no later than: May 1, 2004

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

YES (Please go on to Part II)
NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

NO (Please go on to Part III)
YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Recommendation to provide standard stock conditions for on-site well and septic. Be advised that the commercial facilities may require a public water supply to be developed. Contact Marina Michel at Environmental Health Services 781-5573 in order to determine needed water supply.

5/7/04
Date

S. Salo
Name

781-5551
Phone



AIR POLLUTION CONTROL DISTRICT

COUNTY OF SAN LUIS OBISPO

Post-it® Fax Note 7671

To No. City Team
Co./Dept. SLD City Plan/BuildDate 4-30-04 # of pages 2
From A. Mutziger
Co. APCD
Phone #

DATE: April 30, 2004

TO: North County Team
San Luis Obispo County Department of Planning and BuildingFROM: Andy Mutziger *AJM*
San Luis Obispo County Air Pollution Control District

SUBJECT: Genesis Prefabricated Homes: Commercial office buildings, warehouse, inventory storage yard, and building. (DRC/MUP 2003-00063/Viborg-Davis)

GENERAL COMMENTS:

Thank you for including the APCD in the environmental review process. We have completed our review of the proposed Genesis Pre-fabricated Homes development that will include construction and sales offices and a storage yard located near the Highway 101 and Wellsona Road interchange in Paso Robles. We have the following comments on the proposal.

SPECIFIC PROJECT COMMENTS

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the District assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. The following are District comments that are pertinent to this project.

CONSTRUCTION EMISSIONS

Fugitive Dust

The project as described in the referral will not likely exceed the District's CEQA significance threshold for construction phase emissions. However, construction activities can generate fugitive dust, which could be a nuisance to local residences and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the District's 402 "Nuisance" Rule. District staff recommends the following measures.

- Reduce the amount of the disturbed area where possible.
- Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.
- All dirt stock-pile areas should be sprayed daily as needed.
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible.
- Building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities.

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Genesis Prefabricated Homes
April 30, 2004
Page 2 of 2

Naturally Occurring Asbestos

Naturally Occurring Asbestos (NOA) has been identified by the state Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common in the state and may contain naturally occurring asbestos. Under the State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if naturally occurring asbestos is present within the area that will be disturbed. If naturally occurring asbestos is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include but are not limited to 1) an Asbestos Dust Mitigation Plan which must be approved by the District before construction begins, and 2) an Asbestos Health and Safety Program will also be required for some projects. Please refer to the District web page at <http://www.slocleanair.org/business/asbestos.asp> for more information regarding these requirements. If you have any questions regarding these requirements, please contact Karen Brooks of our Enforcement Division at 781-5912.

Developmental Burning

Effective February 25, 2000, the District prohibited developmental burning of vegetative material within San Luis Obispo County. Under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, District approval, and issuance of a burn permit by the District and the local fire department authority. The applicant is required to furnish the District with the study of technical feasibility (which includes costs and other constraints) at the time of application. If you have any questions regarding these requirements, contact Karen Brooks of our Enforcement Division at (805) 781-5912.

OPERATIONAL PHASE MITIGATION

District staff considered the project impact by comparing it against screening models within the District's Air Quality Handbook. This indicated that operational phase impacts will likely be less than the District's CEQA mitigation threshold value of 10 lbs of emissions per day.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, or if you would like to receive an electronic version of this letter, feel free to contact me at 781-5912.

AJM/sll

cc: Karen Brooks, SLOAPCD Enforcement Division

H:\a\p\plan\response\2875.doc



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SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING
VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: April 29, 2004

TO: Department of Fish and Game DRC2003-00063 VIBORG
Project Name & Number

FROM: Susan Callado
Please respond to above
Development Review Section (PHONE: 788-2352)

PROJECT DESCRIPTION: Commercial Office and warehouse, storage yard, office spaces

Return this letter with your comments attached no later than

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES (Please go on to PART II.)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO (Please go on to PART III.)
☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. **IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.**

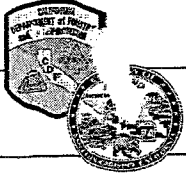
2:1 mitigation needed to offset project impacts
to bit for. Asphalt parking area does not
need mitigation

4.29-04
Date

Robert Stafford
Name

528-8670
Phone

4-65



CDF/San Luis Obispo County
Fire Department

635 N. Santa Rosa • San Luis Obispo • California, 93405

April 14, 2004

County of San Luis Obispo
Department of Planning/Building
County Government Center
San Luis Obispo, CA 93408

SC

Dear North County Team,

COMMERCIAL MINOR USE PLAN

Name: Viborg/Davis

Project Number: DRC 2003-00063

The Department has reviewed the minor use plans submitted for the proposed office space, warehouse and storage yard project located at Hwy 101 & Wellsona Rd., Paso Robles. The property is located within the moderate fire hazard severity area, and will require a minimum 8-10 minute response time from the nearest County Fire Station.

The owner of the project shall meet the minimum fire and life safety requirements of the California Fire Code (1998 edition) with amendments. This fire safety plan shall remain on the project site until final inspection. The following standards are required:

FIRE SAFETY DURING CONSTRUCTION

- Commercial and industrial type projects shall have installed, prior to the start of construction, commercial water system and fire lanes.

FIRE EXTINGUISHING SYSTEM

- The proposed project is required to install a commercial fire/life safety sprinkler system.
- The automatic fire extinguishing system shall comply with National Fire Protection Association Pamphlet 13, 231, 20, and 22.
- Plans shall be submitted for review and approval to the County Building Departments.
- The Contractor shall be licensed by the State of California [CFC 1003.1.1 amended/Title 19, Section 19.20.029 (a)].
- The fire sprinkler system shall be monitored by a licensed alarm company.

FIRE PROTECTION ENGINEER REQUIREMENT

We require that a Fire Protection Engineer review the Fire Protection Systems for this project (UFC 103.1.1). If you would like a list of Fire Protection Engineers, it is available on our website at www.cdfslo.org. The Fire Protection Engineer will require that you provide working plans as outlined in NFPA 13, 6-1 (1996). The Fire Protection Engineer will be required to send the County Fire Department an original letter of the project review they conducted complete with the changes needed.

PORTABLE FIRE EXTINGUISHER(S)

- Portable fire extinguishers shall be installed and comply with the Uniform Fire Code (2000) Section 1002.1, Standard 10-1.
- The contractor shall be licensed by the State Fire Marshal.
- The minimum requirements will be determined during the building permit/fire safety plan process.

ROOF ACCESS

- The project shall provide vertical access to the roof from two points.
- Access can be provided by the use of landscaping or a fixed laddering system.
- Plans shall be submitted for approval to the County Fire Department.
- Presently the County Fire Department can provide a maximum 16-feet of vertical reach.

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COMMERCIAL WATER SYSTEM

- Emergency water supplies shall meet the minimum fire flow requirements as identified in the Uniform Fire Code, Section 903.1, 903.2, 903.3 and 903.4 as amended and Appendix III-A.
- The proposed project shall provide a minimum 1,500 gallons of water per minute for 120 minutes.
- The minimum water main size shall not be less than six (6) inches.
- Pressures may not be less than 20 psi, nor more than 150 psi (Appendix IIIA).

WATER STORAGE TANK

- A minimum of 180,000 gallons of water in storage shall be required.
- Emergency water tanks shall have a(n):
 1. automatic fill,
 2. sight gage,
 3. venting system,
- The minimum water main size shall not be less than six (6) inches.
- Pressures may not be less than 20 psi, nor more than 150 psi (Appendix IIIA).

WATER SUPPLY CONNECTION

- Several fire hydrants shall be required.
- Fire hydrants are to be located with a maximum normal spacing of 300 feet as measured along vehicular travel ways.
- The County Fire Department will assist in hydrant placement and approve distribution system when plans are submitted.
- Fire hydrants shall have two, 2½-inch outlets with National Standard Fire thread, and one 4 inch suction outlet with National Standard Fire thread.
- The Chief shall approve other uses not identified.
- Signing: Each hydrant shall be identified by blue reflective dot.
 - (a) On a non-skid surface, center of roadway, to the fire hydrant side.

ACCESS

- Access road width shall be 18 feet.
- The project shall provide a minimum 20-foot fire lanes for emergency vehicle access.
- All road and driveway surfaces shall be all weather.
- All surfaces shall be constructed to meet a load capacity of 20 tons.

ADDRESSING

- Legible address numbers shall be placed on all structures.
- Legible address numbers shall be located at the driveway entrance.

FINAL INSPECTION

The project will require final inspection. **Please allow five (5) working days for final inspection.** When the safety requirements have been completed, **call Fire Prevention at (805) 543-4244, extension 2220**, to arrange for a final inspection. Currently South San Luis Obispo County inspections occur on Tuesdays and North County inspections occur on Thursdays.

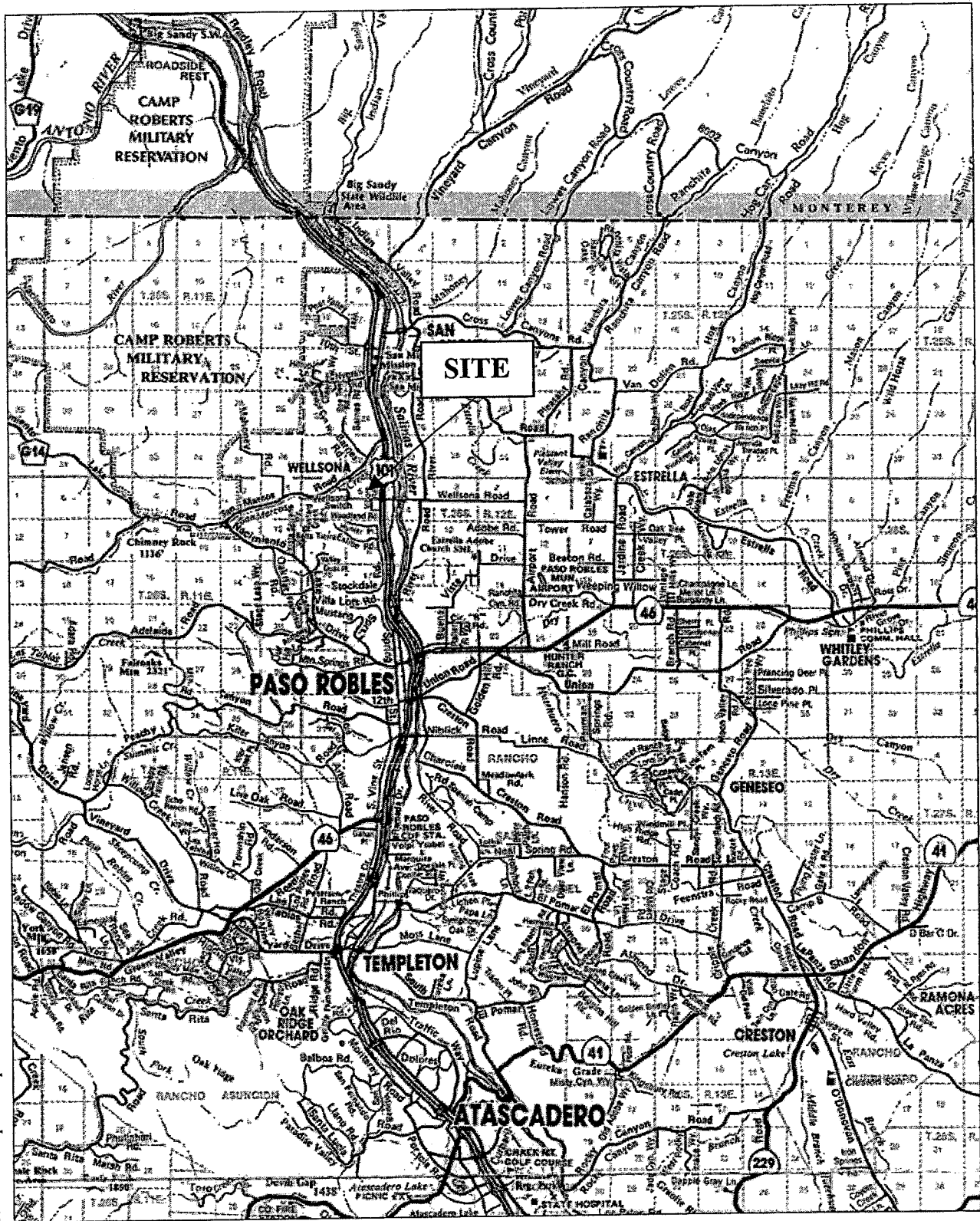
Further information may be obtained from our website located at www.cdfslo.org ~ Planning and Engineering section. If we can provide additional information or assistance, please call (805) 543-4244.

Sincerely,

Gilbert R. Portillo
Fire Inspector

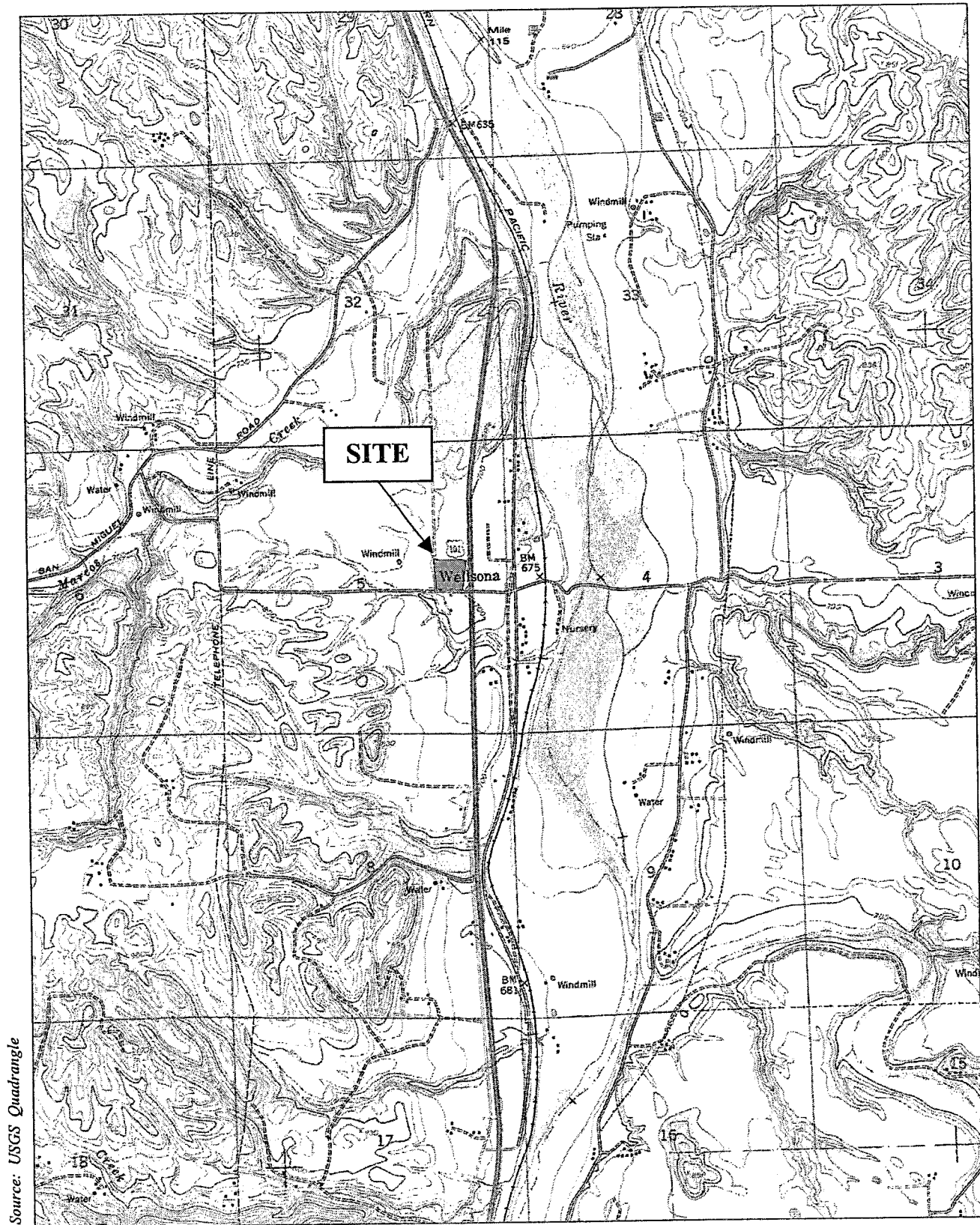
C: Mr. Thomas DaRosa, owner

Source: Compass Maps



NORTH
Not to Scale

VICINITY MAP
FIGURE 1

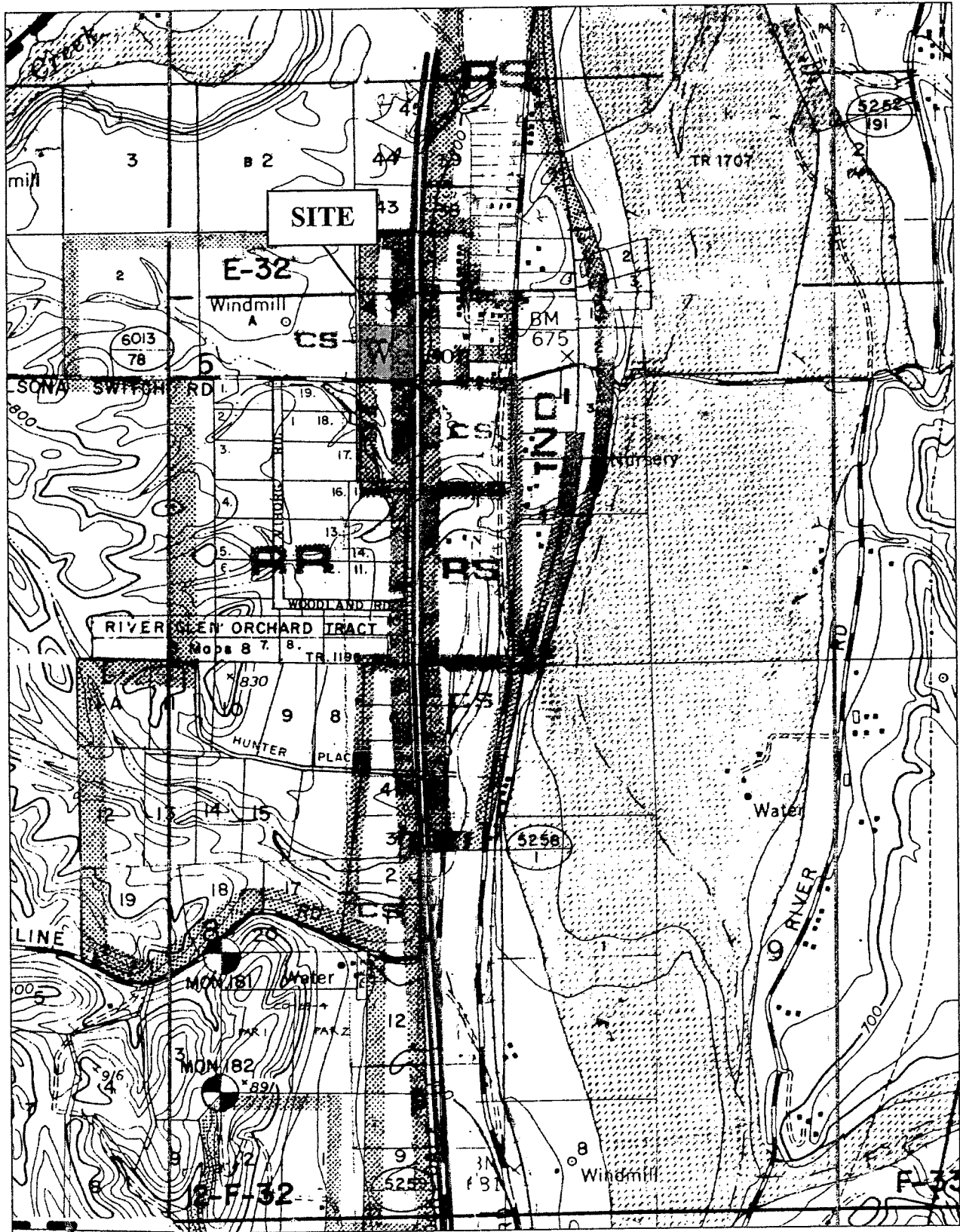


Source: USGS Quadrangle



NORTH
Not to Scale

**LOCATION MAP
FIGURE 2**



Source: County of San Luis Obispo

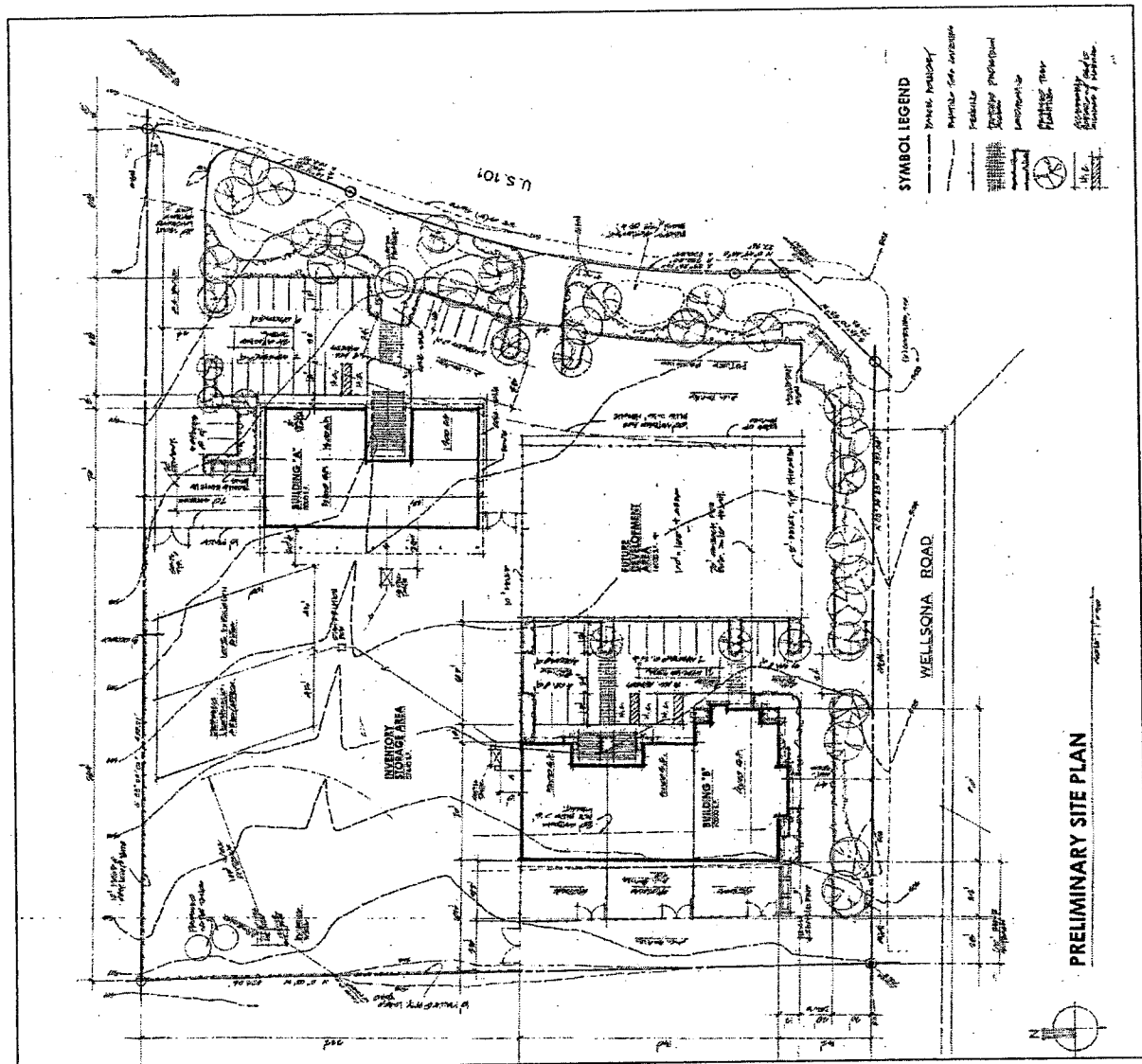


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LAND USE CATEGORY
FIGURE 3

4-70

PRELIMINARY SITE PLAN
FIGURE 4

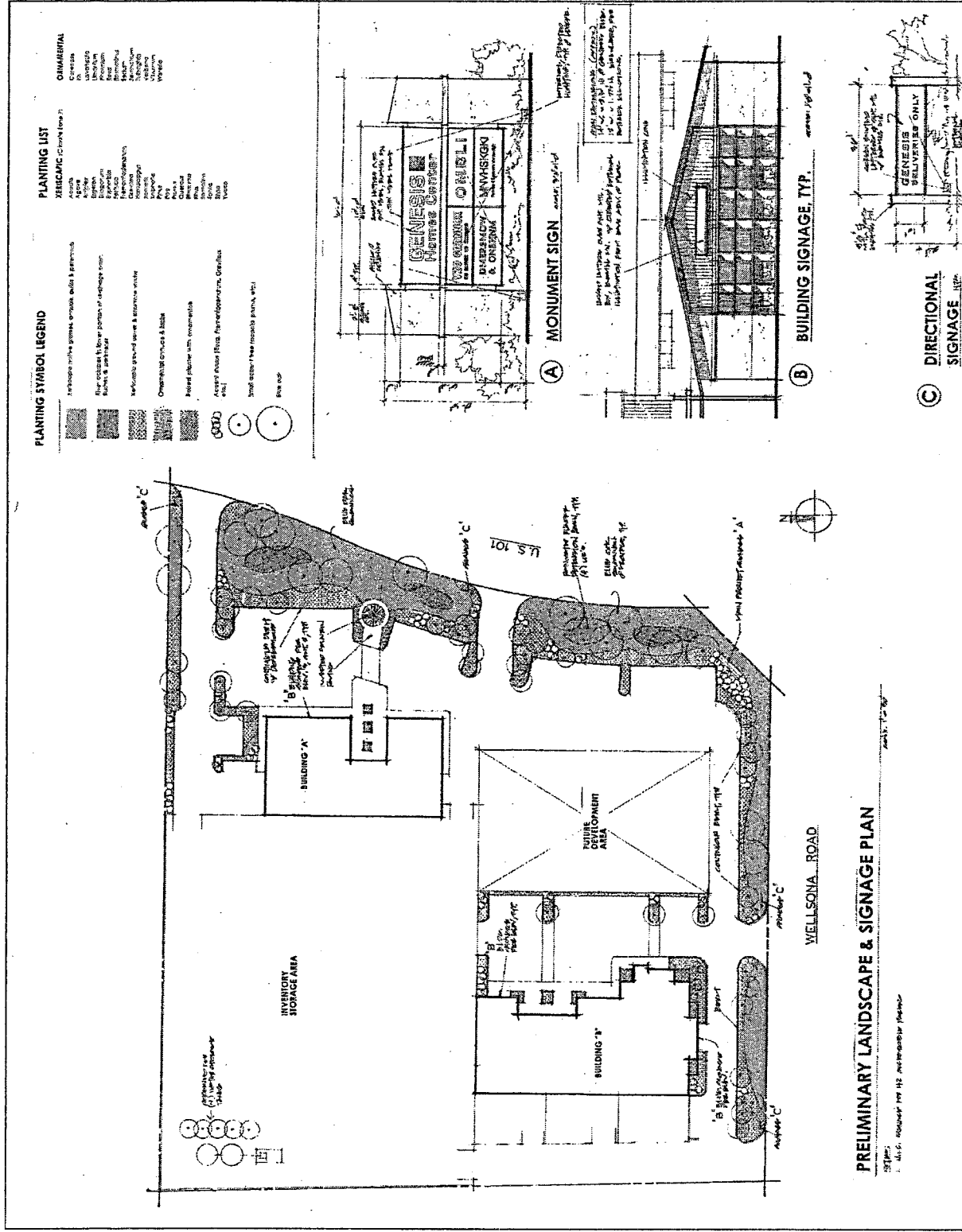


Source: Paragon Design and Building



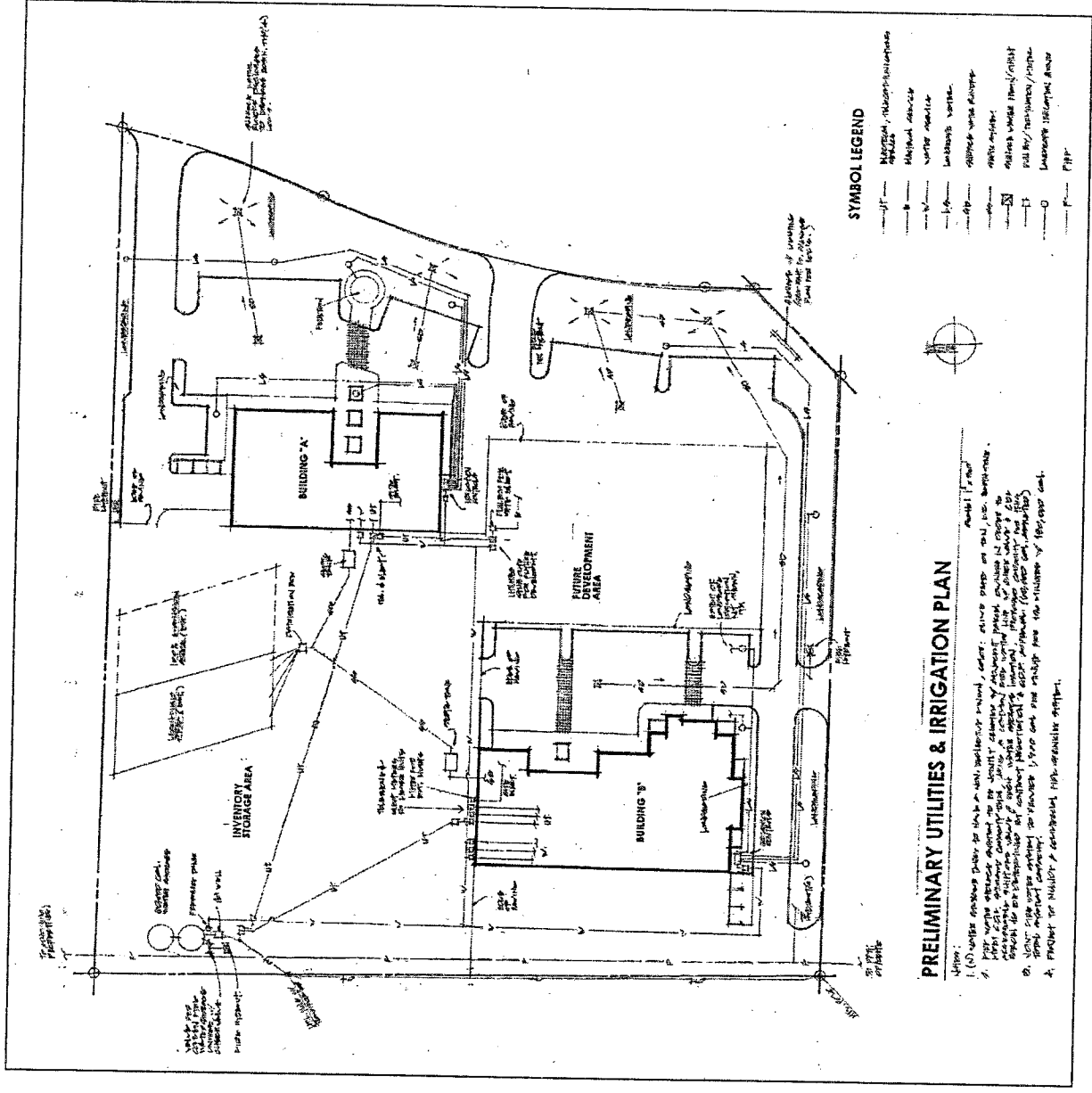
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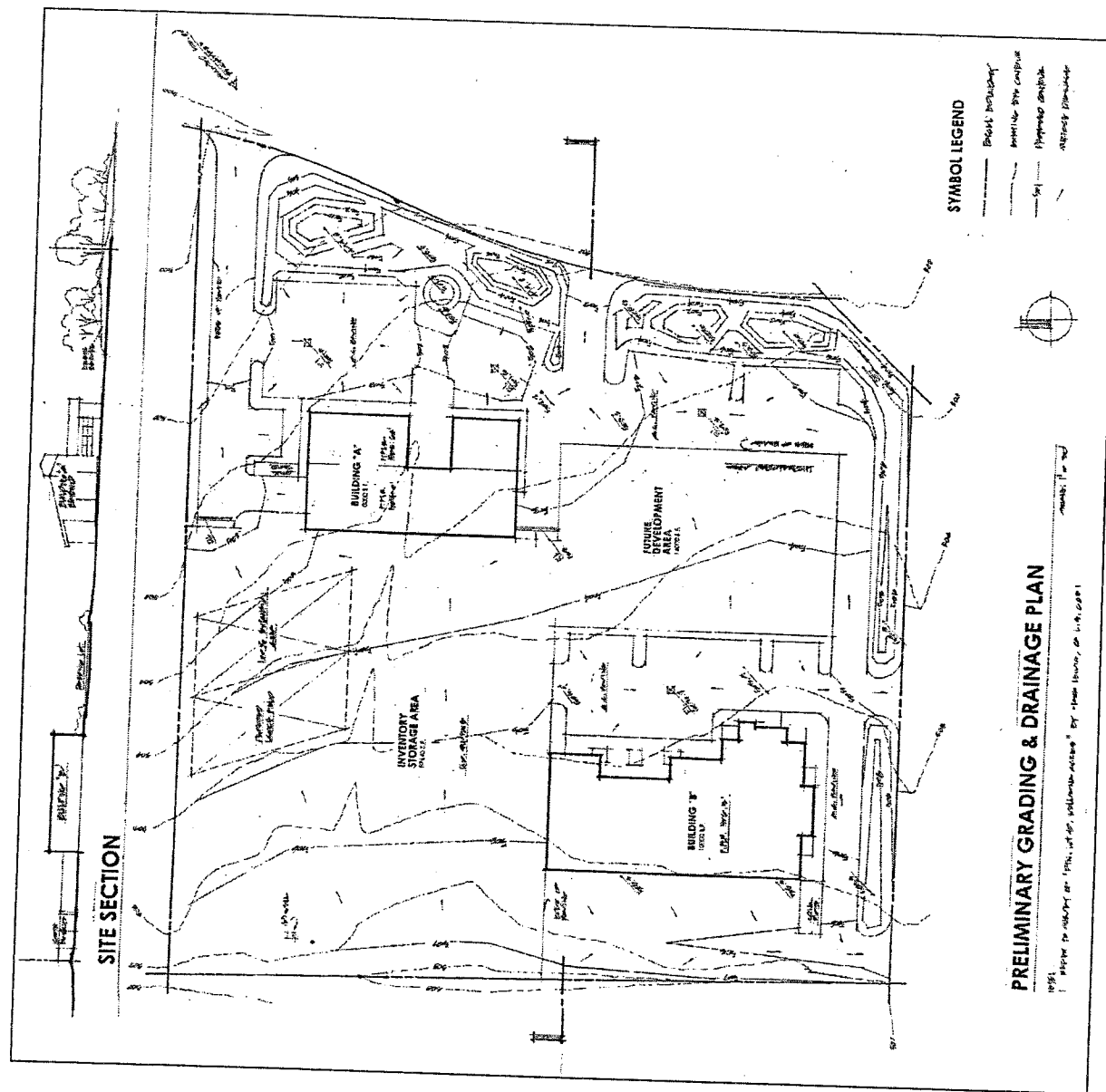
PRELIMINARY LANDSCAPE AND SIGNAGE PLAN
FIGURE 6

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PRELIMINARY UTILITIES AND IRRIGATION PLAN
FIGURE 7
Morro Group, Inc.

4-74



NORTH
Not to Scale

Morro Group, Inc.

PRELIMINARY GRADING AND DRAINAGE PLAN
FIGURE 8